

PEOPLE FIRST:

What Massachusetts Does for People with Disabilities

An Analysis of the House of Representatives' State Budget Recommendations for Fiscal Year 2006

July 1, 2005 – June 30, 2006

Volume II

Prepared for
Massachusetts Developmental Disabilities Council

Produced by
Massachusetts Human Services Coalition

May 2005

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House of Representatives' State Budget Recommendations for
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Prepared for:
Massachusetts Developmental Disabilities Council (MDDC)
1150 Hancock Street, 3rd Floor
Quincy, MA 02169-4340
617-770-7676 (Voice)
617-770-1987 (Fax)
617-770-9499 (TTY)
www.mass.gov/mddc (Web)

Produced by:
Massachusetts Human Services Coalition (MHSC)
37 Temple Place, 3rd Floor
Boston, MA 02111
617-482-6119 (Voice)
mhsc@earthlink.net (Email)
www.cutnomore.org (Web)

Lead Author:
Eliza Anderson, MHSC Senior Budget Analyst for Disability Issues

Additional Contributors:
Jen Douglas, MHSC Managing Editor and Budget Analyst for Welfare Issues
Barbara McGonagle, MHSC Intern on Housing Issues
Pam Wool, MHSC Budget Analyst for Child and Youth Issues

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Executive Summary

In this Executive Summary, we present snapshots of the House of Representatives' FY06 budget proposals in each of the agencies and areas that *People First* covers. Both here and in the full report that follows, we highlight advocacy priorities that, if achieved, would allow Massachusetts to carry out a comprehensive system of disability service provision. For the sake of clarity, throughout this document, we will refer to the House of Representatives' FY06 budget as the "House budget." We will refer to the governor's FY06 budget, which is always named "House 1," as "H1 for FY06."

For more details on agencies and programs and the impacts of FY01–FY05 budget cuts, see *People First Volume I*, available online at www.mass.gov/mddc/peoplefirst/index.html.

1. Department of Early Education and Care (DEE&C)

Both the House budget and H1 for FY06 move to establish the new DEE&C as an independent agency with funding merged from different departments. There is also sufficient funding to maintain current services. While H1 for FY06 would nearly level fund the new agency, the House budget allows for some modest increases. However, both the House budget and H1 for FY06 would transfer Community Partnerships for Children (CPC) and Massachusetts Family Networks (MFN) programs—which include funding for inclusive preschool education—at nearly level funding into the DEE&C. The Parent Child Home Program (PCHP) for families with children at-risk developmentally or educationally is similarly level-funded.

(See the DEE&C chapter on page 7 for details.)

2. Department of Education (DOE) / Special Education / The Circuit Breaker

The Special Education Circuit Breaker account funds the Circuit Breaker reimbursement formula that the legislature created to help school districts cope with extraordinary special education costs. The Circuit Breaker formula is supposed to pay for 75% of special education expenses that are above 4 times the average per pupil foundation budget.

Both the House budget and H1 for FY06 recommend level funding. The House budget includes an earmark designating \$8,750,000 for voluntary residential placement prevention programs between the Department of Education and other agencies within the Executive Office of Health and Human Services (EOHHS) that develop community-based support services for children and their families, of which \$7,500,000 is specifically for DMR (level with FY05). Another House budget earmark designates \$3,000,000 for reimbursing school districts for emergency special education expenses (that are at minimum 25% beyond the previous year's costs). Other House budget earmarks are discussed within the chapter.

(See the DOE / Special Education / The Circuit Breaker chapter on page 9 for details.)

3. Department of Elder Affairs (DEA)

The House budget contains key positive provisions for seniors and persons with disabilities. A \$229.3 million increase is proposed for Senior Care Plans (line item 4000-0600), to pay MassHealth costs for providing care in the community or a nursing home. The 10-day "bed-hold" provision for nursing home residents—to preserve stable living arrangements by continuing MassHealth coverage of an individual's bed for a leave of up to 10 days—is continued with funding of \$9 million.

As in H1 for FY06, a House budget outside section provides \$50 million for wage increases for nursing home workers. The Prescription Advantage program is fully funded. Neither budget would impose stricter clinical standards for nursing home admission. The bad news is that neither budget includes funding for home health aide wage increases, nor for worker training programs for home health aides and nursing assistants.

(See the DEA chapter on page 10 for details.)

4. Department of Housing and Community Development (DHCD)

The House budget recommends that the Alternative Housing Voucher Program be funded at \$3.0 million, a \$700,000 increase over both the FY05 funding and H1 for FY06. Although advocates welcome the additional funds, \$5.5 million is needed to fully fund the program.

(See the DHCD chapter on page 14 for details.)

5. Department of Mental Health (DMH)

The House budget recommends \$24,770,989 (4%) above FY05 funding, which is just \$462,506 more than H1 for FY06. As in H1 for FY06, this is a maintenance budget that provides no restorations or expansions to address service cuts or the huge waiting lists of 11,000–20,000 people in need of residential and case management services. The House budget maintains research programs at Harvard and the University of Massachusetts that H1 for FY06 would close, but it does so by sacrificing roughly \$975,000 that H1 for FY06 had included under Community Mental Health to start up 15 community-residential placements. The House budget, therefore, fails to fully support DMH's multi-year *Olmstead* initiative, which calls for 268 adult continuing care inpatient clients to be moved into community residential placements by the close of FY06. Neither the House budget nor H1 for FY06 provide new funding for child/adolescent services to address a significant need for more home-based services.

On the positive side, the House budget includes language in the Executive Office of Health and Human Services (EOHHS) operations account (line item 4000-0300) that gives the DMH commissioner authority to approve or disapprove restrictions on medications to treat mental illness, including "prior authorization" requirements.

(See the DMH chapter on page 15 for details.)

6. Department of Mental Retardation (DMR)

The House budget recommends \$58,868,869 more than the FY05 funding for DMR; this amount is just \$576,217 more than in H1 for FY06. Both the House budget and H1 for FY06 represent a 5.5% increase and provide for the requirements of the *Boulet* and *Rolland* class action settlement agreements. Both also essentially level fund Turning 22 (T22) services for young people who are graduating or aging out of special education services: level funding becomes less adequate to meet the needs of the program, since costs increase every year.

Unlike H1 for FY06, however, the House budget creates a new line item for DMR's new Autism Division and funds it at \$1 million. The House budget also provides \$500,000 in restoration funding to the Flexible Family Supports account (for which advocates are seeking \$4.5 million). Neither the House budget nor H1 for FY06 funds any new service coordinator

positions nor does either budget restore the 18–20 service coordinator positions that were cut in FY05, despite expanding caseload.

(See the DMR chapter on page 21 for details.)

7. Department of Social Services (DSS)

The House budget for total DSS funding in FY06 is \$28,544,346 (4.0%) above the final FY05 funding amount and \$6,438,348 above H1 for FY06. Both budgets, according to DSS agency staff, would essentially provide for maintenance of services. For Services for Children and Families, including essential mental health and substance abuse services, the House budget proposes an increase of \$9,883,612 (3.8%) over the FY05 funding level, which is \$992,508 more than in H1 for FY06.

(See the DSS chapter on page 27 for details.)

8. Department of Transitional Assistance (DTA)

The House budget for DTA is more beneficial for persons with disabilities than is H1 for FY06. Both budgets take steps to anticipate pending changes to welfare policy at the federal level during 2005. The House budget largely maintains current policy, and will wait to make changes through regular legislative action. A House budget reserve account (line item 1599-4408) holds \$12 million in flexible employment and child care services funds, intended to aid in compliance with federal changes. In contrast, H1 for FY06 would have imposed new work requirements and time limits on about 14,000 program participants—including 5,600 disabled parents—in the Transitional Aid to Families with Dependent Children (TAFDC, line item 4403-2000). H1 for FY06 also would have imposed work requirements on participants in the Emergency Aid to the Elderly, Disabled, and Children program (EAEDC, line item 4408-1000). This change would cause the loss of benefits for an estimated 2,030 disabled immigrants due to failure to comply and a reduction in the monthly grant amounts for an additional 1,220 persons.

(See the DTA chapter on page 28 for details.)

9. Department of Youth Services (DYS)

The House budget proposes a total of \$139,907,688 for DYS, which is \$4,428,695 (3%) less than in H1 for FY06. House budget funding for residential programs for detained youths (line item 4200-0200) is 1.8% higher than the FY05 allocation. House budget funding for community programs for committed youth (line item 4200-0100) is 1.4% higher than the FY05 allocation. It is possibly less than a maintenance funding level for of these both line items. The House budget falls short about \$5.4 million of annualizing the Safety First Plan suicide prevention initiative started in FY05. The House budget represents a major setback in the debate, as compared to H1 for FY06, for the mental health and special education needs of DYS young people.

(See the DYS chapter on page 31 for details.)

10. Massachusetts Commission for the Blind (MCB)

The House budget recommends \$62,991 more than in H1 for FY06, which is 2.4% above FY05 funding. Neither the House budget nor H1 for FY06 provides maintenance funding for the Community Services account, nor for needed expansion for the Deaf/Blind Community Access Network waiting list. Both budgets fail to provide the increase needed for Vocational Rehabilitation to enable more students with vision impairments to go to college. Overall, the House budget comes closer than H1 for FY06 to providing for MCB salaries, while both

budgets provide for the FY06 Turning 22 students. These budgets also under -fund needed annualization for the FY05 Turning 22 students (to continue services started to new participants in FY05). Both budgets continue to erode the Ferguson Industries program.

(See the MCB chapter on page 33 for details.)

11. Massachusetts Commission for the Deaf and Hard of Hearing (MCDHH)

For MCDHH as a whole, both the House and H1 for FY06 budgets recommend an increase of \$108,903 (2%). The budgets would maintain all program services at the FY05 level. Advocates are requesting an increase of \$558,903 for MCDHH in FY06.

(See the MCDHH chapter on page 37 for details.)

12. Massachusetts Department of Public Health (MDPH)

The FY05 MDPH budget is currently 23% below the FY01 funding level, unadjusted for inflation. The House budget for FY06 provides primarily maintenance—not restoration—funding. Environmental Health (including lead poisoning), the Special Supplemental Nutrition Program for Women, Infants, & Children (WIC) program, and Universal Newborn Hearing Screening are all level-funded. Early Intervention, Dental Health, and Family Health Services would receive modest increases. The HIV/AIDS Bureau is also proposed for a small increase, though not enough to prevent wait-listing of persons in need of life-sustaining drugs.

(See the MDPH chapter on page 40 for details.)

13. Massachusetts Rehabilitation Commission (MRC)

The House budget is \$174,582 below funding in H1 for FY06 and \$1,282,143 (3.48%) above the FY05 funding level. As in H1 for FY06, the House budget offers some progress for funding Turning 22 (T22)—the adult services provided to students who graduate or age out of special education or other youth services. The House budget provides \$712,550 for new T22 program participants, but inadequate funding for full annualization to continue services to all current clients. H1 for FY06 had fully funded both annualization and new T22 participant needs.

In addition, the House budget proposes no relief for the Independent Living Centers (ILCs) nor for the Home Care crisis. The ILCs have had level funding for 5 years. Home Care has a 4-month processing list for services. Vocational Rehabilitation (VR) and its long waiting list would also make no progress under this budget.

(See the MRC chapter on page 44 for details.)

14. Office of Medicaid (MassHealth)

Proposed House budget spending for MassHealth in FY06 is about equal to that of H1 for FY06, with a difference in how the two budgets account for carry-over funds from the current fiscal year. The House budget is meant to accommodate an enrollment increase from 980,000 to 1 million people. Given health care inflation rates close to 8%, this goal may be unrealistically optimistic within the proposed allocation. Neither budget has major initiatives to address the health care coverage needs of the 500,000 uninsured residents of Massachusetts.

The House budget does not restore coverage for adult dentistry and eyeglasses, a priority for disability advocates. Enrollment caps remain in place for CommonHealth, the MassHealth HIV Program, and the Insurance Partnership. An enrollment freeze is likely for MassHealth Essential. On a more positive note, last June's restoration of coverage to 3,000 elderly and

disabled legal immigrants was continued and \$86 million was restored to the “off-budget” Uncompensated Care Pool.

(See the MassHealth chapter on page 49 for details.)

15. Other State Disabilities Agencies and Programs

The House budget rejects the H1 for FY06 attempt to consolidate three civil legal services agencies—the **Massachusetts Legal Assistance Corporation (MLAC)**, the **Mental Health Legal Advisors Committee (MHLAC)**, and **Massachusetts Correctional Legal Services**. MLAC is allocated a much-needed \$500,000 restoration. MHLAC receives a below-maintenance budget.

The **Governor’s Commission on Mental Retardation** still does not have its own line item nor does it have any earmark funding. The Commission has been moved to EOHHS, but its budget is now unknown. Staff have been reduced by one-third in recent years.

For the **Massachusetts Office on Disability**, the House budget recommends \$18,313 more than in H1 for FY06. This House budget amount is 5.5% above the FY05 funding level. This recommendation would support a maintenance budget for MOD’s current staffing level only. Since FY01, MOD has been cut \$167,012 (22.5%), unadjusted for inflation.

The **Disabled Persons Protection Commission** would receive a modest increase of 2.5% over FY05 funding, an amount that falls \$3,122 below the amount in H1 for FY06.

Similarly, for the **Massachusetts Commission Against Discrimination (MCAD)**, the House budget recommends a 6.4% increase over FY05 funding, but \$2,790 less than in H1 for FY06.

The **Architectural Access Board**, funded as part of a larger line item in the Office of Public Safety and Homeland Security, still has no earmark or separate line item indicating its budget.

(See the Other State Disabilities Agencies and Programs chapter on page 55 for details.)

16. Salary Reserve

The House budget allocates just \$10 million for the Direct Care Worker Salary Reserve that provides modest but important salary increases for direct care workers. These workers are employed by service providers that contract with state agencies under the Executive Office of Health and Human Services (EOHHS) and the Department of Elder Affairs (DEA). An amendment to raise the amount to \$35.7 million did not pass. H1 for FY06 provides no Salary Reserve funding.

(See the Salary Reserve chapter on page 59 for details.)

Introduction: The House Budget in Context

People First: What Massachusetts Does for People with Disabilities

An Analysis of the House of Representatives' State Budget Recommendations for Fiscal Year 2006

Volume II of IV on the FY06 state budget debate

On April 13, 2005, the Ways and Means Committee of the House of Representatives released its state budget recommendations for the fiscal year 2006 (FY06) that will begin on July 1, 2005. After two weeks of amendments and full House debate, a final House budget was completed late in the evening of April 29, 2005. The release of the House budget for FY06 is the second major step in a long process that will determine the actual state budget for FY06. Earlier, on January 26, 2005, the governor released his House 1 for FY06 budget recommendations. Soon, the Senate will have debate to determine their budget recommendations for FY06.

People First provides a disability analysis of the state's proposed budgets to assist individuals with developmental disabilities, their families, and other advocates. *People First* also provides information for state legislators and other decisionmakers, to educate them about the important disability programs funded through the state budget. To help create better outcomes for persons with disabilities, people concerned about disability services can participate in this budget debate through regular contact with their own state representatives and state senators. Please see the "Guide for New Readers" chapter for more information on the budget debate process and how to express your concerns to elected officials.

This second *People First* report for the FY06 budget debate cycle examines the House of Representatives' recommendations for disability services. The third *People First* report for FY06 will examine the critical decisions on disability issues to be made in June by the Joint House/Senate Conference Committee, which is charged with reconciling differences between the House and the Senate budgets for FY06. A fourth *People First* report (available electronically only) will examine the governor's veto message and recommend overrides necessary to best support disability services. To peruse other volumes in the series, visit www.mass.gov/mddc/peoplefirst/index.html.

Revenue Remains a Key Concern

During House debate, some additional spending was approved with the expectation of Democrats that a bill closing corporate tax loopholes would be passed later. The measure is expected to generate \$170 million in new revenues. Still, in spite of new and recovering state revenues, a structural deficit—a mismatch between sustainable revenue and spending needs—is anticipated to continue in FY06 and beyond.

According to recent reports, the fiscal challenges Massachusetts faces are due to a combination of tax cuts issued during the 1990s, destined to create a structural budget gap,¹ and spending growth in 4 areas that are consuming about \$1 billion (most) of additional spending each year: health care, public education, capital investments and their debt service costs, and pension costs that exceed the inflation rate.² Meanwhile, revenue growth is estimated at about \$700 million for FY05 and FY06. In short, the FY06 budget is being created in a very cautious climate, with most programs and agencies slated for just maintenance funding (or below-maintenance level funding) or small increases.

¹ Massachusetts Budget and Policy Center. 2004. "The Massachusetts Budget Crisis: Sources and Solutions" (June). Available at: www.massbudget.org/sources_solutions_june04.pdf.

² Massachusetts Taxpayers Foundation. 2005. "State Budget '05-'06: The Clash Between Expectations and Reality" (April). Available at: www.masstaxpayers.org/data/pdf/reports/report~1.pdf. See also Michael P. Norton. 2005. "Report Cites 'Widening Disconnect' On State Spending Expectations, Realities," State House News Service (April 12).

Department of Early Education and Care

Line Item			Description	FY01	FY05	H1 for FY06	House Budget for FY06
FY05	H1 for FY06	House Budget for FY06					
7030-1000 (DOE)*	See program transfers in rows below.		Early Learning/ School Readiness	\$114,551,675	\$74,605,058	See program allocations in rows below.	
	3000-1000 (DEE&C)**	3000-1000 (DEE&C)**	CPC & MFN Admin			678,895	--
	3000-3000 (DEE&C)**	3000-4000 (DEE&C)**	Cmty. Prtnrshps. for Children (CPC)			Not more than \$68,630,469	\$68,700,570
	3000-3000 (DEE&C)**	3000-7050 (DEE&C)**	Mass. Family Networks (MFN)			Not more than \$5,295,694	\$5,295,694
7030-1004 (DOE)	3000-3000 (DEE&C)**	3000-7060 (DEE&C)**	Parent-Child Home Program^	0	1,000,000	1,000,000^	1,500,000^ ^

* Department of Education (DOE)

** Department of Early Education and Care (DEE&C)

^ FY06 proposed amounts represent money allocated only for the Parent-Child Home Program within line item 3030-3000 and 3000-7060, not the total funding for that account.

^^ The House budget for FY06 includes \$500,000 transferred from the DOE's "Reach Out and Read" program.

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Massachusetts system for early education and child care. The new Department of Early Education and Care (DEE&C), to be established in FY06 as an independent agency, will consolidate all of the existing state early education and care functions previously housed within the Department of Education (DOE) and the Office of Child Care Services (OCCS). For additional information on the impacts of FY01–FY05 budget cuts and details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DEE&C chapter of Volume I in the table of contents.

HOUSE BUDGET OVERVIEW

New Agency on Track

Both the House budget and H1 for FY06 move to establish the new DEE&C as an independent agency with funding merged from different departments. There is also sufficient funding to maintain current services. The House budget for the whole agency is \$468,393,575, which is a \$17.69 million (3.9%) increase over the amount in H1 for FY06 and a 4% increase over the FY05 funding level. While H1 for FY06 would nearly level fund the new agency, the House budget allows for some modest increases. Advocates were pleased to see recommendations of \$1 million for a new Early Education Scholarship fund (within line item 7070-0065), \$7 million for a child care provider rate reserve, and funding for a Workforce Development Commissioner. There would be a total increase of \$50 million.

The line items highlighted below are particularly relevant to disability issues because they provide a significant portion of the funding for inclusive preschools designated jointly for at-risk children, children with special education needs, and typically developing children with or without disabilities.

Line item Analysis

Account: Office of Early Education

line item: Former DOE 7030-1000; House budget 3000-7050 (MFN) and 3000-4000 (CPC)

The Office of Early Education account funds early childhood educational programs. Community Partnerships for Children (CPC) offers comprehensive services and programs for preschool children,

including inclusive preschool for at-risk children—a large portion of the inclusive pre-school program funding base. The Massachusetts Family Networks (MFN) Programs support efforts to bring families together for enrichment activities, education, and community building.

Line Item			Description	FY01	FY05	H1 for FY06	House Budget for FY06
FY05	H1 for FY06	House Budget for FY06					
7030-1000 (DOE)*	See program transfers in rows below.		Early Learning/ School Readiness	\$114,551,675	\$74,605,058	See program allocations in rows below.	
	3000-1000 (DEE&C)**	3000-1000 (DEE&C)**	CPC & MFN Admin			678,895	--
	3000-3000 (DEE&C)**	3000-4000 (DEE&C)**	Cnty. Ptrnrshps. for Children (CPC)			Not more than \$68,630,469	\$68,700,570
	3000-3000 (DEE&C)**	3000-7050 (DEE&C)**	Mass. Family Networks (MFN)			Not more than \$5,295,694	\$5,295,694

* Department of Education (DOE)

** Department of Early Education and Care (DEE&C)

FY06 Needs

From FY01–FY05, CPC’s funding was cut 34% and MFN’s funding was cut 19%. Keeping programs intact and maintaining continuity in the transition to the new DEE&C is of primary concern. The flexibility CPC and MFN have had to work collaboratively with community councils to define needs has been integral to the success of both programs. Advocates recommend level funding of MFN at \$5.3 million and an increase of \$5 million for CPC.

House Budget Recommendations

Both the House budget and H1 for FY06 transfer these accounts with nearly level funding.

Account: Parent/Child Home Program (PCHP)

line item: Former DOE 7030-1004; House budget 3000-7060

The Parent Child Home Program (PCHP) account funds intensive home visiting services targeting families whose income or education level may put a child at risk developmentally or educationally.

Line Item			Description	FY01	FY05	H1 for FY06	House Budget for FY06
FY05	H1 for FY06	House Budget for FY06					
7030-1004 (DOE)	3000-3000 (DEE&C)**	3000-7060 (DEE&C)**	Parent-Child Home Program^	0	1,000,000	1,000,000^	1,500,000^^

* Department of Education (DOE)

** Department of Early Education and Care (DEE&C)

^ FY06 proposed amounts represent money allocated only for the Parent-Child Home Program within line item 3030-3000 and 3000-7060, not the total funding for that account.

^^ The House budget for FY06 includes \$500,000 transferred from the DOE’s “Reach Out and Read” program.

FY06 Needs

The Parent Child Home Program (PCHP) is considered a model in meeting the needs of its target population. PHCP now has less than a third of the funding it had in FY01. Advocates recommend increasing funding by \$2 million.

House Budget Recommendations

Both the House budget and governor’s budgets for FY06 would transfer this account to the new DEE&C with level funding. Level funding is not enough to maintain services.

Department of Education / Special Education / The Circuit Breaker

Line Item	Description	FY01*	FY05	H1 for FY06	House Budget for FY06
7061-0012	Special Ed. Circuit Breaker**	61,941,239	201,600,262	201,600,262	201,600,262

* Prior to FY04, this account was called “special education residential schools.”

This chapter focuses on the House of Representatives’ FY06 budget recommendations for the Special Education Circuit Breaker line item within the Department of Education (DOE). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the Department of Education/Special Education/The Circuit Breaker chapter in the Volume I table of contents.

Line Item Analysis

Account: Special Education Circuit Breaker

Line Item: 7061-0012

The Special Education Circuit Breaker account funds the Circuit Breaker reimbursement formula that the legislature created to help school districts cope with extraordinary special education costs. Under the Circuit Breaker, as many as 12,000 students triggered some form of reimbursement to their school districts in FY04. The Circuit Breaker formula is supposed to pay for 75% of special education expenses that are above 4 times the average per pupil foundation budget. In other words, any time a district spends more than \$29,328 in a school year to educate a single special education student, 75% of the excess should be reimbursed to the district by the state (whether the student is in an out-of-district or an in-district program). Full funding of the Circuit Breaker was part of the promise of special education reform passed in FY01.

FY06 Needs

The Board of Education had sought a \$215 million appropriation for this account in FY06. DOE now says level funding is sufficient. Special Education children’s advocates are seeking a \$1 million increase (to \$8.5 million in total) for the Department of Education/Department of Mental Retardation residential placement prevention earmark. They cite a 2-year waiting list for this program that successfully keeps students living with their families and in their communities.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend level funding. The House budget includes numerous earmarks. There is \$8,750,000 for voluntary residential placement prevention programs between the Department of Education and other agencies within the Executive Office of Health and Human Services (EOHHS) that develop community-based support services for children and their families, of which \$7,500,000 is specifically for DMR (level with FY05). There is \$1 million for monitoring, \$500,000 for administration of the circuit breaker, and \$3,000,000 to reimburse school districts for emergency special education expenses (that are at minimum 25% beyond the previous year’s costs). Finally, \$575,000 is earmarked for audio taped textbooks for special needs students (with \$25,000 for a pilot program) and \$300,000 is earmarked for start up grants to create a pilot program to address the need for coordinated transportation to out-of-district special education placements through education collaboratives.

Department of Elder Affairs

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0600	Sr. Care Plans	1,648,865,000	1,697,117,500	1,783,969,375	1,926,481,999
4000-0625	HHA Wage Incr.	--	4,000,000	0	0
4510-0720	Nurse's Aide Training	1,000,000	0	0	0
9110-0102	Asst. Living Regulation	368,000	246,447	246,160	247,217
9110-1455	Prescription Advantage	73,684,000	110,000,000	90,159,453	90,249,126
9110-1460	Presc. Advtg. Co-pay Subs.	new	5,000,000	0	0

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities at the Department of Elder Affairs (DEA). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DEA chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

Good News and Bad for Programs Supporting Seniors and Persons with Disabilities

The House budget contains key positive provisions for seniors and persons with disabilities. A \$229.3 million increase is proposed for Senior Care Plans (line item 4000-0600), to pay MassHealth costs for providing care in the community or a nursing home. The House budget maintains the 10-day “bed-hold” provision for nursing home residents, to preserve stable living arrangements by continuing MassHealth coverage of an individual’s bed for a leave of up to 10 days, with funding of \$9 million.

As in H1 for FY06, an outside section in the House budget provides \$50 million for wage increases for nursing home workers. The Prescription Advantage program is fully funded, with provisions for retaining benefits for seniors and persons with disabilities who need it beyond January 2006, when most will convert to new federal Medicare coverage. Neither budget would impose stricter clinical standards for nursing home admission.

The bad news is that neither budget includes funding for home health aide wage increases, nor for worker training programs for home health aides and nursing assistants.

Line Item Analysis

Account: Senior Care Plans

Line Item: 4000-0600 (Office of Medicaid)

The Senior Care Plans account funds MassHealth costs of low-income seniors and persons with disabilities. Participants may reside in nursing homes, remain in the community and receive MassHealth-funded acute care or home health care, or enroll for Medicare premium assistance.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0600	Sr. Care Plans	1,648,865,000	1,697,117,500	1,783,969,375	1,926,481,999

FY06 Needs

Advocates will be working to prevent further changes to access or eligibility in FY06.

House Budget Recommendations

The House budget funds Senior Care Plans at \$1.9 billion, an increase of \$229.3 million (13.5%) over the FY05 allocation, which is an increase of \$142.5 million (8%) over H1 for FY06.

Account: Home Health Aide (HHA) Wage Increase

Line Item: 4000-0625 (Office of Medicaid)

The Home Health Aide (HHA) Wage Increase account provides funds to increase the very low wages that MassHealth pays HHAs, home health nurses, and physical and occupational therapists.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0625	HHA Wage Increase	--	4,000,000	0	0

FY06 Needs

Home care advocates are supportive in particular of rate increases for home health workers, homemakers, and personal care homemakers. Rate increases proposed to date do not go far enough to address the severe workforce crisis faced by home care agencies throughout the Commonwealth.

House Budget Recommendations

Both the House budget and H1 for FY06 discontinue funding for this initiative.

Issue: Certified Nursing Assistant (CNA)/Home Health Aide (HHA) Scholarship Program

Line Item: 4510-0720 (Massachusetts Department of Public Health)

The Certified Nursing Assistant (CNA)/Home Health Aide (HHA) Scholarship Program provided funding for training and professional development opportunities for CNAs and HHAs. The money was in line item 4512-0720 at the Massachusetts Department of Public Health (MDPH). Training and retention of these workers is crucial to a quality system of care for elders and people with disabilities in nursing homes and in the community.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4510-0720	Nurse's Aide Training	1,000,000	0	0	0

FY06 Needs

In the FY06 budget debate, advocates will be working to reinstate this program.

House Budget Recommendations

Neither the House budget nor H1 for FY06 restores the CNA/HHA scholarship program.

Account: Assisted Living Regulation

Line Item: 9110-0102

The Assisted Living Regulation account funds limited state regulation and certification for assisted living facilities. Residents who live in assisted living are usually seniors or younger people with disabilities who need supportive services. This account is one of the only methods available to the state to monitor quality of care in these facilities.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
9110-0102	Asst. Living Regulation	368,000	246,447	246,160	247,217

FY06 Needs

The regulation of assisted living facilities is essential because of the volume of these facilities in the state and the need for a minimum standard of care.

House Budget Recommendations

The House budget would increase funding for this account by \$770 (one-third of 1%), while H1 for FY06 proposes a small decrease. In short, both budgets recommend close to level funding.

Account: Prescription Advantage **Line Items: 9110-1455 and 9110-1460**

The Prescription Advantage (PA) account (line item 9110-1455) funds drug insurance coverage for about 90,000 elders and people with disabilities. All Massachusetts seniors are eligible. Participants pay sliding-scale premiums, deductibles and co-payments based on income.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
9110-1455	Prescription Advantage	73,684,000	110,000,000	90,159,453	90,249,126
9110-1460	Presc. Advtg. Co-pay Subs.	new	5,000,000	0	0
Totals:		73,684,000	115,000,000	90,159,453	90,249,126

FY06 Needs

Prescription Advantage is expected to operate in its current form for the first six months of FY06. After January 1, 2006, when the new federal Medicare Modernization Act (MMA) drug benefit is implemented, PA will serve primarily as a wrap-around benefit for enrollees who are eligible for the new federal Medicare drug benefit. At that time, all Prescription Advantage members will be required to enroll in the Medicare Part D drug plan. Advocates will be working with DEA and the legislature to craft a new “wrap-around” benefit to proactively provide back-up state drug coverage to fill potential gaps in the new Medicare program.

House Budget Recommendations

Both the House budget and H1 for FY06 fully fund the Prescription Advantage program (line item 9110-1455), at \$90.16 and \$90.25 million, respectively. Both budgets use Outside Section language to determine what will happen when the Medicare Modernization Act (MMA) is implemented. Outside Section 22 of the House budget stipulates that all persons eligible for prescription assistance through Medicare will use that option first. Prescription Advantage will continue as a supplemental assistance plan for drug costs of eligible Medicare-enrolled seniors and persons with disabilities, and for those ineligible for Medicare. The amount of assistance provided would be determined by DEA using a sliding income scale. Outside Section 163 in H1 for FY06 contained similar provisions, and also stated that the program would not accept new enrollees who are 66 or older during the second half of FY06.

Both budgets propose to discontinue Prescription Advantage Co-Pay Subsidies (9110-1460) in FY06. It remains to be seen whether this elimination is a problem, because the restructured Prescription Advantage program may serve the same purpose.

Issue: Nursing Home Clinical Eligibility Standards
Section: Outside Section 257 (FY05)

The Clinical Eligibility Standards are rules used to determine if an income-eligible senior or person with disabilities under age 65 meets the physical criteria for MassHealth nursing home coverage.

FY06 Needs

In FY06, advocates will seek to ensure that clinical eligibility standards for nursing home care do not become stricter, to enable more persons who need intensive nursing care to receive it.

House Budget Recommendations

Neither the House budget nor H1 for FY06 changes nursing home clinical eligibility standards.

Issue: Certified Nursing Assistant (CNA) Wage Pass-Through
Section: Outside Section 409 (FY05)

The Certified Nursing Assistant (CNA) Wage Pass-Through provides wage increases for the lowest-paid direct service workers in nursing homes, with the intent to reduce turnover and staff shortages.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
Outside Section	Nursing Home Wage Pass-Thru	35,000,000	O.S.	O.S.	O.S. 21

FY06 Needs

In FY06, advocates will seek continued funding to raise the incomes of crucial front-line workers.

House Budget Recommendations

Outside Section 21 of the House budget preserves the wage pass-through for direct care staff in nursing homes with an earmark of \$50 million. Language specifies that the money may be spent on wages, benefits or training; recruitment and retention of staff; or increasing nursing home staff-patient ratios. The funding and language are the same as in Outside Section 156 of H1 for FY06.

Issue: Nursing Home Bed-hold
Sections: Outside Sections 533 and 701 (FY04) and Outside Section 409 (FY05)

The Nursing Home Bed-hold regulation has served to literally hold the bed of a nursing home resident when they are away from the facility for a limited period for hospitalization or non-medical family visiting, by continuing MassHealth reimbursement to the nursing home during the absence.

FY06 Needs

Advocates struggle each year to maintain and expand the bed-hold provision. At stake is the ability of nursing home residents to have stable living arrangements.

House Budget Recommendations

Outside Section 21 of the House budget provides up to 10 days of bed-hold for nursing home residents, funded with an earmark of \$9 million. H1 for FY06 does not provide for bed-holds.

Department of Housing and Community Development

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
7004-9030	AHVP Rental Vouchers	4,000,000	2,300,000	2,300,000	3,000,000

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Department of Housing and Community Development (DHCD). For additional information on the impacts of FY01–FY05 budget cuts and more details on program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DHCD chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

Incremental Improvements for Accessable Housing Access

The House budget recommendation for the Alternative Housing Voucher Program (AHVP) is significantly higher than levels in recent past fiscal years and H1 for FY06. A proposed increase of \$700,000 (30%) is a solid step toward meeting accessible housing needs of persons with disabilities, although \$5.5 million would be necessary to fully fund the program and serve 800 households.

Line Item Analysis

Account: Alternative Housing Voucher Program (AHVP)

Line Item: 7004-9030

The Alternative Housing Voucher Program (AHVP) account funds transitional rental assistance for non-elderly disabled people under the age of 60. AHVP operates under a 1995 law that reserves 86.5% of each community's Chapter 667 public housing for elderly residents and the remaining 13.5% for non-elderly disabled households. To help non-elderly disabled households who wanted to leave public housing or were on long waiting lists for other assistance, the law created AHVP as a new rent subsidy program to enable non-elderly disabled households to afford housing temporarily until other subsidy options become available.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
7004-9030	AHVP Rental Vouchers	4,000,000	2,300,000	2,300,000	3,000,000

FY06 Needs

AHVP was initially funded at \$4 million in FY96, a level deemed sufficient to support 800 households. However, rising rents in subsequent years made it difficult for voucher holders to find units. After several years of underleasing, DHCD increased both the subsidy and rent levels allowed. Leasing rates then rose to the authorized level of 800. Program cuts in recent years have resulted in fewer than 800 households being served.

Advocates have called for increasing AHVP funding back to \$4 million for FY06, noting that it would take \$5.5 million to fully fund the program (and serve 800 households). Massachusetts is continuing to experience significant homelessness among individuals with disabilities and cuts in federal Section 8 vouchers make AHVP an increasingly important resource.

House Budget Recommendations

The House budget proposes a \$700,000 (30%) increase over both the FY05 and H1 for FY06 funding levels.

Department of Mental Health

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5011-0100	Admin.	\$35,892,669	\$35,376,100	\$37,144,330	\$36,789,608
5011-0300	Pharmaceut. Admin.	538,675	--	--	--
5042-5000	Child & Adolescent	55,867,543	70,273,272*	71,417,409	71,382,402
5042-5002	Child/Adol. Reserve	4000-0160**	--	--	--
5046-0000	Community Mntl. Hlth.	249,588,678	274,852,252	287,340,397	288,219,968
5046-1000	Rental Subsidies	3,107,550	--	--	--
5046-1100	Ret. Rev. - Fed Reimb.	700,000	--	--	--
5046-2000	Homeless Services	21,944,454	22,182,363	22,210,643	22,210,686
5046-4000	Choice Ret. Rev.	125,000	125,000	125,000	125,000
5046-9999	Insurance Assess.	7,854,766	***	***	***
5047-0001	Emergency Programs	32,341,278	31,485,703	31,482,359	31,482,359
5047-0002	Ret. Rev.	6,000,000	4,500,000	4,500,000	4,500,000
5055-0000	Forensic Services	7,311,564	6,028,399	6,051,792	6,050,905
5095-0015	Facilities	163,365,262	152,420,140	159,579,782	159,553,290
5095-0016	Medfield Consolidation	--	--	--	--
DMH	Totals:	\$584,637,439	\$595,543,229	\$619,851,712	620,314,218

* This FY05 figure includes \$1.7 million received in an FY05 supplemental.

** An Executive Office of Health and Human Services (EOHHS) line item, funded at \$10 million in FY01.

*** Line item 5046-9999 was consolidated with 5011-0100 in FY05.

This chapter focuses on the House of Representatives' FY06 budget recommendations for the Department of Mental Health (DMH). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DMH chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

Maintenance Funding—No Help for the Waiting Lists

The House budget for FY06 is nearly identical with H1 for FY06. The House budget recommends \$24,770,989 (4%) above the FY05 funding level, just \$462,506 more than H1 for FY06. Both are maintenance budgets that provide no restorations nor expansions to address service cuts or waiting lists of 11,000–20,000 people in need of residential and case management services.

Unlike H1 for FY06, the House budget maintains research programs at Harvard and the University of Massachusetts that H1 for FY06 would close, but it does so by sacrificing roughly \$975,000 that H1 FOR FY06 had included in Community Mental Health to start up 15 community-residential placements. The placements would serve adults who have been “stuck” in acute hospital settings with nowhere to be discharged to.

DMH has a multi-year *Olmstead*¹ initiative, which calls for 268 adult continuing care inpatient clients to be moved into community residential placements by the close of FY06. DMH reports that it will have developed 239 of these placements by the end of FY05 and an additional \$1.885 million is needed in FY06 to create the final 29. The House budget does provide the \$8,442,083 needed in FY06 to annualize—continue funding for another year—the *Olmstead* placements already created, but not

¹ *Olmstead* is the 1999 U.S. Supreme Court decision that requires states to provide services to people with disabilities in the most integrated setting appropriate to their needs.

funding to create the remaining 29. The House budget also does not create a State Mental Health Disposition Fund—a funding stream to support more community-based housing—so that people with mental illness can benefit from the sale and development of state hospital sites.

Neither the House budget nor H1 for FY06 provide new funding for child/adolescent services. At any one time there are 100 children “stuck” in private acute hospital care because there are no supports for them to return home. The Center for Public Representation (CPR) is now in federal court with a class action suit on behalf of Medicaid-eligible children with serious mental illness who could benefit from home-based services. CPR estimates hundreds more are “stuck” in group homes, state-run hospitals, and residential schools. The suit, *Rosie D. v. Romney*, went to trial in federal court in Springfield on April 25, 2005. CPR estimates the state could save \$22 million a year in hospital costs and \$40 million in other residential care if it provided more home-based care.²

On the positive side, the House budget includes language in the Executive Office of Health and Human Services (EOHHS) operations account (line item 4000-0300) that gives the DMH commissioner authority to approve or disapprove restrictions on medications to treat mental illness, including “prior authorization” requirements.

Line Item Analysis

Accounts: Administration and Insurance Assessments **Line Items: 5011-0100 and 5046-9999**

The Administration line funds approximately 420 administrative and programmatic full-time equivalent staff (FTEs) at DMH. Insurance Assessments are also funded here.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5011-0100	Admin.	\$35,892,669	\$35,376,100	\$37,144,330	\$36,789,608
5046-9999	Insurance Assess.	7,854,766	***	***	***

*** In FY03, 5011-0100 was consolidated with 5046-9999—raw numbers are not directly comparable across years.

FY06 Needs

DMH cannot afford another below-maintenance budget for this account without further jeopardizing program support positions.

House Budget Recommendations

The House budget recommends \$354,722 less than does H1 for FY06, which is \$1,413,508 above FY05 funding. This amount is more than \$400,000 below FY06 maintenance needs and would cut 6 FTEs. Most of the increase above the FY05 funding level is for chargebacks—charges DMH must pay EOHHS for centralized administrative services—and for annualized payroll expenses, to pay for a full year of employment expenses for positions that had been backfilled in FY05.

Account: Child and Adolescent Services **Line Item: 5042-5000**

The Child and Adolescent Services account funds community-based and inpatient mental health services for children and adolescents, including: respite; case management; court clinics; and individual/family flexible, residential, inpatient, community, and school supports. About 8,000

² Goldberg, “Outcry of ‘stuck kids’ Goes to Court,” *The Boston Globe*. April 25, 2005

children (ages birth–18) are served—7,800 in the community and 200 on an inpatient basis.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5042-5000	Child & Adolescent	55,867,543	70,273,272*	71,417,409	71,382,402
5042-5002	Child/Adol. Reserve	4000-0160**	--	--	--

* This FY05 figure includes \$1.7 million received in an FY05 supplemental.

*** Line item 5046-9999 was consolidated with 5011-0100 in FY05.

FY06 Needs

Advocates are calling for increased support for Department of Social Services (DSS) programs and substance abuse treatment for children with co-occurring disorders (e.g., mental illness and substance abuse). In addition, there is a new focus on the needs of “transition age kids.” These are youth with mental health needs moving into adult services—often through the courts and homeless systems—after aging out of DSS, the Department of Youth Services (DYS), or the schools. These adolescents are becoming “the new homeless.” Advocates would like to see a new line item at DHM for “transition age services,” funded at \$3 million.

Meanwhile, DMH has requested an additional \$265,589 to cover 3 programs within this account:

- the Eliminating Barriers Initiative—\$75,000 for a stigma reduction campaign in high schools;
- the Police Pocket Guide—\$90,589 for an education/resource guide for police; and
- a peer support program for children and adolescents in inpatient treatment—\$100,000.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend over \$2.8 million more for this account in FY06 than the original appropriation in FY05. The House budget proposal, however, is \$35,007 below that in H1 for FY06. There is no expansion in these recommendations. The increase would annualize the \$1.7 million supplemental budget DMH received in FY05 by providing a full year of funding for Intensive Residential Treatment needs (that were originally under-funded). It also includes maintenance expenses, such as \$619,736 to annualize the POS Salary Reserve originally funded in FY05.

Account: Community Mental Health Services

Line Item: 5046-0000

The Community Mental Health Services account funds 7,000 residential placements statewide in small, community-based settings that provide support services for people with serious mental illness. Annually, 11,800 adults are served with residential placements. Outpatient services are also provided.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5046-0000	Community Mntl. Hlth.	249,588,678	274,852,252	287,340,397	288,219,968

FY06 Needs

DMH has acknowledged the need for \$7 million in new funds for this account in FY06, to support:

- \$2 million for services to young adults, some of whom are aging out of services provided by the Departments of Education (DOE), Social Services (DSS), and Youth Services (DYS). (Advocates would like to see \$3 million, in a new line item, for transition services—see Child and Adolescent Services, line item 5042-5000, above.)
- \$1.885 million for continued community development. This money would complete DMH’s initiative to create 268 community residential placements by the close of FY06 (239 will have

been completed by the close of FY05).

- \$1 million for rental assistance. The money presumably is to restore the FY03 cut that eliminated 300 subsidies at the Department of Housing and Community Development (DHCD). [Editor's Note: See the DHCD chapter to learn about other rental subsidies for persons with disabilities through the Alternative Housing Voucher Program.]
- \$1.3 million to establish a mental health training initiative.

Advocates are seeking additional funds to address the more intensive needs of individuals who are transitioning from restrictive settings to community placements. Community service programs need more resources to handle needs for emergency services, respite care, care coordination, and rehabilitation.

House Budget Recommendations

The House budget recommends \$879,571 more than in H1 for FY06, and \$13,367,716 above FY05 funding. DMH reports that the apparent increase is really mostly maintenance funding, including annualization of 155 community placements begun in FY05 at \$7.46 million and annualization of PACT (Program of Aggressive Community Treatment teams) at \$1.1 million. ("Annualization" is a full year of funding for services newly created or provided part way through the previous year.) This maintenance funding also includes payroll adjustments necessitated by passage of the salary reserve in the FY05 budget, and by a new collective bargaining agreement with unionized workers.

The major difference between the House budget and H1 for FY06 is that the House budget does not eliminate \$1.9 million in research funding that H1 for FY06 cuts, and the House budget fails to fund the 15 new community residential placements that H1 for FY06 does fund (by de-funding the research programs). The 15 placements are part of DMH's *Olmstead* implementation plan to move discharge-ready adults from hospital beds into the community (29 placements are called for in FY06). Neither budget serves anyone from the long waiting lists for services.

Account: Homeless Services

Line Item: 5046-2000

The Homeless Services account provides residential/housing, employment, and outreach services to homeless individuals with mental illnesses throughout the state. Residential/housing services are provided to 2,400 formerly homeless individuals, while outreach services reach 1,500 persons.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5046-2000	Homeless Services	21,944,454	22,182,363	22,210,643	22,210,686

FY06 Needs

DMH has acknowledged need for an additional \$600,000 in FY06 to fund homelessness prevention through a tenancy preservation program in which DMH works with district courts to prevent evictions. Advocates call for restoration of homeless mentally ill funding. In FY03, the legislature cut one-third (\$1,107,550) of the rental assistance funding for DMH clients at the Department of Housing and Community Development (DHCD, line item 7004-9033). Over 300 subsidies were eliminated and program rent shares for all tenants were raised from 25–30% to 35% of income.

House Budget Recommendations

Both the House budget and H1 for FY06 provide \$28,280 above the FY05 funding level. These funds maintain the salary increase made possible by the FY05 POS Salary Reserve initiative.

Account: Emergency Programs**Line Item: 5047-0001**

The Emergency Programs account includes \$22.2 million to fund contracted emergency services providers (ESPs) through an interagency agreement with the Office of Medicaid (MassHealth). This acute care—which serves as a front door to DMH and Medicaid services—is provided in general hospitals across the state, with 26 sites in total. The account also includes \$9.3 million for community-based services (the same services as those funded by line item 5046-0000, see above).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5047-0001	Emergency Programs	32,341,278	31,485,703	31,482,359	31,482,359

FY06 Needs

FY05 funding is still \$855,575 below FY01, unadjusted for inflation. DMH has acknowledged need for an additional \$6.5 million in FY06 to enhance services at some sites and make offerings consistent statewide. Mental health advocates are calling for a redesign of the Emergency Service System to enhance elder services and improve mobile access, crisis stabilization, and diversionary services.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend funding that is nearly level with the FY05 allocation.

Account: Retained Revenue**Line Item: 5047-0002**

The Retained Revenue account funds Community Mental Health services. The account collects federal financial participation (ffp) dollars generated through MassHealth from the Emergency Services and Acute Inpatient Care Program (line item 5047-0001). Approximately \$7 million is generated each year—the funds are used to augment the community system.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5047-0002	Ret. Rev.	6,000,000	4,500,000	4,500,000	4,500,000

FY06 Needs

For FY06, advocates across the board are requesting more funds for the community mental health system. Restoration of the \$6 million ceiling for this line item is considered a good place to start.

House Budget Recommendations

Both the House budget and H1 for FY06 maintain the FY05 revenue ceiling on this \$4.5 million account.

Account: Forensic Services**Line Item: 5055-0000**

The Forensic Services account funds the Division of Forensic Mental Health, which provides court clinics (forensic evaluations) and consultations to county jails. March 2003 statistics show 1,999 inmates—20.85% of the total Department of Corrections (DOC) population—with open mental health

cases. Of these, 1,391 inmates (14.5%) are on psychotropic medication.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5055-0000	Forensic Services	7,311,564	6,028,399	6,051,792	6,050,905

FY06 Needs

Advocates call for more consultation and training for prison staff in the areas of screening, crisis intervention, and maintaining inmates on their medication. Prison staff often have little understanding of mental illness. Advocates also call for additional funding to increase mental health community diversion and re-entry services within the adult and juvenile court systems. DMH has acknowledged the need for an additional \$3.463 million to fund juvenile court diversion for children ages 12 and under. Youth advocates report that last year 230 kids under age 12 went to juvenile court for low-risk crimes and found no community diversionary services available to them.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend no funding expansion. The slight increase in each is for annualization of FY05's POS Salary Reserve and other maintenance payroll adjustments.

Account: Facilities **Line Item: 5095-0015**

The Facilities account funds the operation of adult inpatient facilities and community health centers. Since the FY03 closure of Medfield State Hospital, only Taunton, Worcester, and Westboro remain. Additional inpatient units exist at Lindemann (42 beds), Tewksbury (144 beds), and Shattuck (125 beds) state facilities. Parkview Hospital (30 beds) in Springfield is also contracted. The population served is the long-term chronically ill.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5095-0015	Facilities	163,365,262	152,420,140	159,579,782	159,553,290

FY06 Needs

Advocates want people with mental illness to benefit from the sale and development of state hospitals. They recommend that at least 25% of the developed property value be set aside to be used in a housing trust, or alternately that at least 25% of the housing developed is set aside to serve the mentally ill. Advocates would like the creation of a State Mental Health Disposition Fund (and a State Mental Retardation Disposition Fund) to create a dedicated funding stream to meet the state's obligations under the U.S Supreme Court's *Olmstead* decision. *Olmstead* says that Massachusetts must provide equitable community-based services, including housing, to people with disabilities.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend over \$7.1 million above the FY05 allocation (although the House budget plan is \$26,492 below that in H1 for FY06). DMH reports that the House budget proposal is \$129,714 below its FY06 maintenance estimate. Of the proposed increase, \$2,446,835 is for collective bargaining agreements with unionized workers and \$4.348 million is to maintain the salary increase made possible by the FY05 POS Salary Reserve. Neither budget includes language to create housing for people with mental illness (or mental retardation) from the funds generated by the sale and development of state hospital sites.

Department of Mental Retardation

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5911-1000	Admin.	\$6,029,262	\$13,102,349	\$12,780,909	\$12,799,349
5920-1000	Regional Admin.	48,683,630	52,316,518	53,853,237	53,490,519
5911-1210	Worker Certificatn.	1,544,650	--	--	--
5911-2000	Transport.	25,049,926	13,782,367	13,882,296	13,882,269
5911-9999	Insurance Assess.**	9,535,105	--	--	--
5920-2000	Comm. Residences	353,695,256	476,614,523	499,491,126	499,419,626
5920-2010	State Residences	99,998,330	113,269,640	119,978,807	119,556,581
5920-2020	<i>Boulet</i> Wait List	--	70,000,000	85,614,227	85,614,227
5920-2025	Day/Work Programs	90,185,163	109,171,278	113,106,979	113,106,979
5920-3000	Family Supports	50,248,489	48,800,000	50,789,967	51,289,967
5920-3010	Autism Division	--	--	--	1,000,000
5920-4050	Waiting List	35,838,105	--	--	--
5920-5000	Turning 22	6,950,000	6,467,670	6,467,670	6,467,670
5920-6000	Older Unserved	6,750,000	--	--	--
5920-8000	Child/Adolescent	5,024,156	--	--	--
5930-1000	Facilities	164,767,603	160,220,259	166,072,065	165,986,286
5982-1000	Templeton Ret. Rev.	100,000	100,000	100,000	100,000
DMR	Totals	\$904,399,678	\$1,063,844,604	\$1,122,137,256	1,122,713,473
5948-0012	DMR/DOE	7,500,000	7,500,000	7,500,000	7,500,000

This chapter focuses on the House of Representatives' FY06 budget recommendations for the Department of Mental Retardation (DMR). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DMR chapter in the Volume I table of contents.

HOUSE FOR FY06 OVERVIEW

Lawsuits, Turning 22, and the New Autism Division Funded

The House budget recommends \$58,868,869 more than FY05 funding for DMR; this amount is just \$576,217 more than in H1 for FY06. Both budgets represent a 5.5% increase and provide for the requirements of the *Boulet* and *Rolland* class action settlement agreements. Both also essentially level-fund Turning 22 (T22) services for young people who are graduating or aging out of special education services (see line item 5920-5000, below). Level funding is increasingly inadequate support because costs rise each year. Nearly \$8.3 million of the increase in both budgets is to annualize the FY05 POS Salary Reserve initiative for the lowest-paid direct care workers, and close to \$8.8 million is for Unit 2 collective bargaining increases for unionized workers' salaries.

In contrast to H1 for FY06, however, the House budget creates a new line item, 5920-3010, for DMR's new Autism Division and funds it at \$1 million. Most of this funding appears to have been trimmed from DMR personnel salary accounts, due to a difference in calculating payroll maintenance needs. The House budget also provides \$500,000 in restoration funding to the Flexible Family Supports account (for which advocates are seeking \$4.5 million).

Neither the House budget nor H1 for FY06 funds any new service coordinator positions, nor do they restore the 18–20 service coordinator positions that were cut in FY05, despite expanding caseload.

Line Item Analysis

Account: Administration
Line Item: 5911-1000

The Administration account funds \$4.5 million for central administration, payroll, and travel. It also provides \$8.5 million for workers compensation, Medicaid, unemployment, and universal health (from FY03 forward, when line item 5911-1000 was consolidated with former line item 5911-9999 for insurance assessments). Finally, there is \$99,000 in FY05 for a consultant to work on asset management and development related to reuse of Fernald Development Center's land or property.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5911-1000	Admin.	\$6,029,262	\$13,102,349	\$12,780,909	12,799,349
5911-9999	Insurance Assess.**	9,535,105	--	--	--
Totals:		\$15,564,367	\$13,102,349	\$12,780,909	12,799,349

** These funds were consolidated into 5911-1000.

FY06 Needs

DMR has established the need for an additional \$634,690 for this account in FY06, to cover "chargebacks" from the Executive Office of Health and Human Services (EOHHS)—charges DMR must pay for human resources and other services which are centralized at EOHHS.

House Budget Recommendations

The House budget cuts this account by \$303,000 (2.3%), while H1 for FY06 reduces this account by \$321,440 (2.44%).

Account: Regional Administration
Line Item: 5920-1000

The Regional Administration account funds the operational expenses of regional and area offices, including the positions of service coordinators.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-1000	Regional Admin.	48,683,630	52,316,518	53,853,237	53,490,519

FY06 Needs

DMR has anticipated needs totaling \$4.352 million for FY06. These include: \$1.15 million for 23 new service coordinator positions due to caseload increases; \$1 million to restore the 18–20 service coordinators cut in FY05; \$1 million for 20 additional needed administrative positions; \$300,000 for 8 investigator positions (4 to backfill and 4 to annualize); and \$200,000 for unfunded chargebacks (to pay for centralized services at EOHHS).

House Budget Recommendations

Both the House budget and H1 for FY06 improve funding for this account by \$1,536,719 (2.9%). The funds will support neither new service coordinator positions nor restorations, according to DMR.

Account: Transportation

Line Item: 5911-2000

The Transportation account funds transportation of people with mental retardation to residential, day and employment programs. DMR transports roughly 6,000 adults to and from day, work, and residential programs daily.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5911-2000	Transport.	25,049,926	13,782,367	13,882,269	13,882,269

FY06 Needs

Unadjusted for inflation, the budget for transportation services is more than \$8 million below FY89 funding. DMR has identified the need for an additional \$99,201 in FY06 to cover unfunded chargebacks (to pay for centralized services at EOHHS).

House Budget Recommendations

The House budget and H1 for FY06 agree on an increase of \$99,902 (.7%).

Account: Residential Community Programs

Line Item: 5920-2000

The Residential Community Programs account funds vendor-operated (i.e., privately run, not state-run) residential programs in the community.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-2000	Comm. Residences	353,695,256 *	476,614,523	499,491,126	499,419,626

* This figure cannot be compared with subsequent years due to account restructuring.

FY06 Needs

The *Rolland* settlement requires an additional \$13.25 million (\$5 million for new placements and \$8.25 million for annualization) for this line item in FY06. In addition, Turning 22 program participants will require an increase of \$9.52 million for annualization funding.

House Budget Recommendations

Both the House budget and H1 for FY06 fully fund the *Rolland* settlement and Turning 22 annualization for FY06, as well as the FY05 salary reserve initiative for vendored direct care workers (at \$5.7 million). The House budget recommends \$71,500 less than does H1 for FY06, due to a difference in calculating payroll maintenance needs, according to DMR.

Account: Community-Based Residential Services

Line Item: 5920-2010

The Community-Based Residential Services account funds state-operated (i.e., run by DMR staff) residential programs in the community. In FY03 there were 987 state-operated community-based beds.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-2010	State Residences	99,998,330	113,269,640	119,978,807	119,556,581

FY06 Needs

DMR has identified the need for a \$1.787 million increase to this account for FY06. Close to \$1 million is for anticipated fuel increases and nearly \$800,000 is for additional clinical staffing needs.

House Budget Recommendations

The House budget recommendation is \$6,286,941 above FY05 funding. However, the House budget amount is still \$422,226 below that in H1 for FY06, due to a difference in calculating payroll maintenance needs, according to DMR. Of the increase, \$4.2 million is for collective bargaining salary increases for unionized state employees and \$25,478 is to annualize the FY05 POS salary reserve initiative for the lowest-paid direct care workers.

Account: Boulet Waiting List**Line Item: 5920-2020**

The *Boulet* Waiting List account funds the *Boulet* lawsuit settlement agreement (see *People First Vol. I* at www.mass.gov/mddc/peoplefirst/index.html for a full explanation of the *Boulet* agreement). *Boulet* requires new funds, in combination with some base resources, to eliminate the DMR waiting list problem for 2,225 members of this class action suit over 5 years.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-2020	<i>Boulet</i> Wait List	--	70,000,000	85,614,227	85,614,227

FY06 Needs

The settlement agreement calls for total FY06 funding at \$85 million (\$15 million in new funds).

House Budget Recommendations

Both the House budget and H1 for FY06 would provide \$15,614,227 above FY05 funding. This amount includes full funding for *Boulet*, \$573,120 to annualize the FY05 POS Salary Reserve initiative, and \$27,238 for collective bargaining increases for unionized state employees.

Account: Community Day/Work Programs**Line Item: 5920-2025**

The Community Day/Work Programs account funds supported employment programs, sheltered workshops, and other day programs. DMR served 5,346 people with community day and work supports in FY03. In FY05, account language earmarks \$2,720,000 for these young adults. The Community Day/Work Programs account grows each year due to Turning 22 annualization needs.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-2025	Day/Work Programs	90,185,163	109,171,278	113,106,979	113,106,979

FY06 Needs

Between FY03–FY04 (mostly in FY03), this account was cut by roughly \$3.5 million, impacting more than 250 persons with disabilities. As the ongoing consequence of cuts, individuals receiving day support services increasingly receive only MassHealth-funded day habilitation services.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend \$3,935,701 above the FY05 funding level. Of that, \$2,720,000 is for Turning 22 annualization and \$1,215,701 is for annualization of the FY05 POS salary reserve initiative for vendored direct care workers.

Account: Flexible Family Supports and Autism Division

Line Item: 5920-3000 and 5920-3010

The Flexible Family Supports account funds respite and flexible family support services for individuals receiving DMR services and their families. Services may include providing an in-home caregiver while the primary caregiver is away, out-of-home care for periods as long as a weekend, funds for a family to learn sign language, or an alternative communication device for someone who cannot speak. DMR serves about 14,900 families through this program. The account grows by \$1.36 million each year to meet Turning 22 annualization needs.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-3000	Family Supports	50,248,489	48,800,000	50,789,967	51,289,967
5920-3010	Autism Division	--	--	--	1,000,000
<i>Totals:</i>		<i>50,248,489</i>	<i>48,800,000</i>	<i>50,789,967</i>	<i>52,289,967</i>

FY06 Needs

This program has received no increases in 8 years. Advocates are seeking an additional \$4.5 million in FY06 to provide services for up to 1,000 more families, including many people with autism spectrum disorders. Advocates propose about \$300,000 for administration of a new autism division at DMR. Advocates note that many families have young children who have aged out of Early Intervention services and that there continue to be adults living in families who require assistance.

House Budget Recommendations

The House budget recommends \$500,000 in restoration funding for FY06, an amount that is \$500,000 more than does H1 for FY06. In addition, the House budget creates a new line item (5920-3010) funded with \$1 million for DMR's new Autism Division, to provide contracted services for families with children who have autism spectrum disorders. Both budgets provide \$1,360,000 for Turning 22 annualization and \$629,967 for annualization of the FY05 POS salary reserve initiative for vendored direct care workers.

Account: Turning 22 (T22) Community Services

Line Item: 5920-5000

The Turning 22 (T22) Community Services account funds services to persons with mental retardation and related disabilities who turn 22 and therefore age out of special education services. An individual who begins to receive services through this account will be served for the remainder

of the fiscal year in which she or he turned 22. The following year, annualization funds—earmarked and spread out among the service accounts—are needed to cover a full year of services.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5920-5000	Turning 22	6,950,000	6,467,670	6,467,670	6,467,670

FY06 Needs

Since FY02, this account has been under funded by \$482,330, while the number of T22 students has grown to about 450 per year. DMR has absorbed cuts by delaying placements. DMR has established the need for \$7.467 million in FY06, including \$1.2 million for day and employment services.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend level funding only.

Account: Facilities

Line Item: 5930-1000

The Facilities account funds the operation and management of the remaining 6 developmental centers, known archaically as state schools: Glavin; Monson; Templeton; Hogan; Wrentham; and Fernald. So far the state has closed 3 institutions: Belchertown (in 1992); Berry Rehabilitation Center (in 1995); and Dever (in 2002). In FY05, 1,077 individuals remain in the 6 institutions, down from a census of 2,643 in FY92. DMR allows a handful of admissions each year, usually for residents from other institutions or for patients requiring short-term care.

In FY04, the governor called for the closure of Fernald, sparking families to protest (see *People First Vol. I* at www.mass.gov/mddc/peoplefirst/index.html for more information).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
5930-1000	Facilities	164,767,603	160,220,259	166,072,065	165,986,286

FY06 Needs

Most advocates for people with developmental disabilities support closure of the state facilities. They call for the money supporting each resident to follow that person into the community. Towards that end, advocates are calling for the creation of a housing disposition fund from a portion of revenue generated by the sale and development of state facilities and land. It would be a dedicated funding stream to create community-based housing for people with mental retardation, and would help the state to meet its obligations under the U.S. Supreme Court's *Olmstead* decision.

House Budget Recommendations

The House budget recommends \$85,779 less than does H1 for FY06, due to a difference in calculating payroll maintenance needs, according to DMR. The amount is \$5,766,027 above the FY05 allocation. Of that increase, \$4,526,455 is for collective bargaining increases for unionized state employees and \$71,387 is to annualize the FY05 POS Salary Reserve initiative for the lowest-paid vendored direct care workers. The House budget calls for DMR to submit a plan by January 1, 2006 “regarding community transitions” from the state facilities (it avoids the language of “closure” with regards to the facilities). No language or outside section is included to create a housing disposition fund from the sale of state facilities or land.

Department of Social Services

Line Item	Description	FY01	FY05*	H1 for FY06	House Budget for FY06
4800-0038	Services for Children & Families	0	261,576,384	270,467,488	271,459,996

* FY05 numbers are current through April 19, 2005.

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Department of Social Services (DSS). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DSS chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

The House budget proposal for total DSS funding in FY06 is \$ 28,544,346 (4.0%) above the final FY05 budget and \$6,438,348 above the governor's H1 recommendations. Both budgets, according to DSS agency staff, would essentially provide for maintenance of services.

Currently, DSS is engaging in a system-wide initiative to change its service delivery system from a highly structured residential system to a more flexible system designed to maintain children in their community. According to key advocates, DSS is planning a budget-neutral process for this major restructuring of its \$300 million service system.

Line Item Analysis

Account: Services for Children and Families

Line Item: 4800-0038

The Services for Children and Families account funds a wide range of services, including essential mental health and substance abuse services, to provide the supports and resources necessary for biological, foster, and adoptive families to care for their children. Children entering the foster system often have unaddressed medical and mental health needs.

Line Item	Description	FY01	FY05*	H1 for FY06	House Budget for FY06
4800-0038	Services for Children & Families	0	261,576,384	270,467,488	271,459,996

* FY05 numbers are current through April 19, 2005.

FY06 Needs

Advocates say that foster families and post-adoptive families need improved access to a range of clinical interventions and respite services, including services for unaddressed mental health and other medical needs. These services will help sustain the success of these placements. Teen pregnancy advocates recommend earmarking \$2.6 million (level funding) for the Young Parent Support Program, which serves teen parents with mental health, trauma, homelessness, and substance abuse issues.

House Budget Recommendations

The House budget proposes an increase of \$ 9,883,612 (3.8%) over the FY05 funding level. This amount is \$ 992,508 more than in H1 for FY06.

Department of Transitional Assistance

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
1599-4408	Reserve for Emp. Svcs.	--	--	--	\$6,000,000**
4401-1000	Employment Services	24,825,327	18,998,978	27,047,902	\$21,047,902
4401-1100	USDA Rmb. E&T Fd.Stmp.	0	3,000,000*	3,000,000*	3,000,000*
4403-2000	TAFDC	243,144,221	317,762,806	309,234,813	312,450,771
4405-2000	SSI State Supplement	198,866,409	203,272,025	183,617,771	205,568,300
4408-1000	EAEDC	42,439,856	70,079,481	58,156,361	70,079,481

* These federal funds generated through the food stamp program are used for Employment Services (4401-1100).

** The total allocation in line 1599-4408 is \$12 million—\$6 million each for employment and child care services.

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Department of Transitional Assistance (DTA). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DTA chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

A More Promising Course for Welfare Policy

The House budget for DTA is more beneficial for persons with disabilities compared to H1 for FY06. H1 for FY06 would have imposed new work requirements and time limits on about 14,000 program participants—including 5,600 disabled parents—in the Transitional Aid to Families with Dependent Children (TAFDC, line item 4403-2000). It also would have introduced work requirements on participants in the Emergency Aid to the Elderly, Disabled, and Children (EAEDC, line item 4408-1000) program, causing an estimated 2,030 disabled immigrants to lose benefits entirely due to failure to comply and an additional 1,220 to see monthly grant reductions.

Both budgets take steps to anticipate pending changes to welfare policy at the federal level. During 2005, the state's federal welfare waiver will expire and the federal statute that governs the federally- and state-funded TAFDC program will be reauthorized with changes that are still unknown. H1 for FY06 cuts guaranteed benefits and limits legal procedural protections, along with imposing work requirements, a lifetime benefits limit, and commensurate funding reductions (anticipating that those who could not comply with the new rules would lose benefits).

The House budget largely maintains current policy. The House will wait to make policy changes through regular legislative action. A House budget reserve account (line item 1599-4408) holds \$12 million in flexible employment and child care services funds, intended to aid in compliance with federal changes. DTA may only use the money within policy guidelines established by the legislature. Ultimately, advocates are seeking the creation of a separate, state-funded program to serve persons with disabilities and others with obstacles to work. It would preserve benefits for these families, maintain federal compliance (and hence federal funds), and require no new state spending.

Line Item Analysis

Account: Employment Services Program (ESP)

Line Items: 4401-1000, 4401-1100, and 1599-4408

The Employment Services Program (ESP) account funds education, training, and other services intended to help recipients of Transitional Aid to Families with Dependent Children (TAFDC, see

line item 4403-2000, below) to get and keep jobs. ESP is crucial for the eventual well-being of TAFDC recipient families receiving time-limited cash benefits and facing program work requirements. It will be particularly critical for recipients who have disabilities or care for persons with disabilities if they face new work requirements in the coming year.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
1599-4408	Reserve for Emp. Svcs.	--	--	--	\$6,000,000**
4401-1000	Employment Services	24,825,327	18,998,978	27,047,902	\$21,047,902
4401-1100	USDA Rmb. E&T Fd.Stmp.	0	3,000,000*	3,000,000*	3,000,000*
Totals:		24,825,327	21,998,978	30,047,902	30,047,902

* These federal funds generated through the food stamp program are used for Employment Services (4401-1100).

** The total allocation in line 1599-4408 is \$12 million—\$6 million each for employment and child care services.

FY06 Needs

During 2005, Massachusetts is anticipating expiration of the state's federal welfare waiver and reauthorization of the federal statute governing the federally- and state-funded TAFDC program. Advocates call for creation of a separate, state-funded program to serve persons with disabilities and others who encounter obstacles to work. It would preserve benefits for these families, maintain federal compliance (and hence federal funds), and require no new state spending.

House Budget Recommendations

Both the House budget and H1 for FY06 propose to increase ESP funding by just over \$8 million (37%) in FY06. The House budget rejected the H1 for FY06 effort to impose tougher work requirements on 14,000 additional TAFDC program participants, including 5,600 persons with severe disabilities and 2,400 recipients who now care for a disabled family member at home. Instead, \$6 million is allocated for ESP in a reserve account (line item 1599-4408) intended to provide flexibility in anticipation of federal-level policy changes. Initial budget language would have left use of the money to the discretion of DTA administrators. Amended language, that requires legislative approval before any changes in program rules or benefits may be made, was secured for the final House budget.

Account: Transitional Aid to Families with Dependent Children (TAFDC)

Line Item: 4403-2000

The Transitional Aid to Families with Dependent Children (TAFDC) program provides time-limited cash benefits to low-income families with children, pregnant women in the last 120 days of pregnancy and to some parents with disabilities.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4403-2000	TAFDC	243,144,221	317,762,806	309,234,813	312,450,771

FY06 Needs

DTA has stated a need for an additional \$3,211,730 to cover the cost of anticipated caseload increases in FY06. Advocates are concerned about maintaining state commitment for benefits to immigrants and persons with disabilities. They also will be seeking line item language to require DTA to give the legislature at least 60 days notice of an anticipated deficit in any account.

House Budget Recommendations

The House budget proposes a cut of \$5.3 million (nearly 2%), an amount \$3.2 million greater than that in H1 for FY06. Advocates estimate that the funding may be sufficient. The House budget rejected the H1 for FY06 effort to repeal the guarantee of child care, to set no maximum on the number of weekly work hours DTA could require, and to repeal last year's good cause protections. Language requires DTA to give the legislature 30 days advance notice of a projected account deficiency (an outcome that fell short of the 60 days that advocates had sought, yet still represented a success).

Account: Supplemental Security Income (SSI) State Supplement

Line Item: 4405-2000

The Supplemental Security Income (SSI) State Supplement account is for state supplements to the monthly cash benefit payments that participants in the federal SSI program receive.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4405-2000	SSI State Supplement	198,866,409	203,272,025	183,617,771	205,568,300

House Budget Recommendations

The House budget for FY06 would increase account funding by nearly \$2.3 million (1%). In contrast, H1 for FY06 would reduce the allocation by \$19.7 million (10%).

Account: Emergency Aid to the Elderly and Disabled (EAEDC)

Line Item: 4408-1000

The Emergency Aid to the Elderly, Disabled, and Children (EAEDC) account funds a minimum cash assistance program for U.S. citizens and legal immigrants who are elderly or have disabilities but cannot qualify for federal Supplemental Security Income (SSI) benefits. Approximately 75% of EAEDC participants qualify for the program based on disability status.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4408-1000	EAEDC	42,439,856	70,079,481	58,156,361	70,079,481

FY06 Needs

In the FY05 budget debate, 1,900 elderly and disabled persons on EAEDC who did not meet the non-citizen requirements for the federal SSI program faced potential expulsion. That initiative was unsuccessful. In FY06, advocates again will be seeking to avoid eligibility restrictions, to oppose the imposition of work requirements on this vulnerable population, and to require DTA to give the legislature advance notice of any projected deficit in the account. Advocates also call for full funding at \$76.9 million, with a 10% cost-of-living increase in the monthly cash benefit.

House Budget Recommendations

The House budget for FY06 level funds EAEDC at \$70.1 million. This proposal rejects the H1 for FY06 17% funding cut and his initiative to institute work requirements for non-elderly adult recipients whose disability is projected to last 6 months or longer. It was estimated that 2,030 disabled immigrants would lose EAEDC benefits entirely due to failure to comply and an additional 1,220 would see monthly grant reductions. House budget language also requires DTA to give the legislature 30 days notice of any projected account deficiency.

Department Of Youth Services

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4200-0200	Residential: Detained	14,474,980	18,907,464	19,642,0222	19,252,964
4200-0300	Residential: Committed	79,115,860	86,305,310	98,864,256	95,467,061

This chapter focuses on the House of Representatives' FY06 budget recommendations for the Department of Youth Services (DYS). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the DYS chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

The House budget proposes a total of \$139,907,688 for DYS in FY06, which is \$4,428,695 (3%) less than in H1 for FY06. House budget funding for residential programs for detained youths (line item 4200-0200) and community programs for committed youth (line item 4200-0100) are 1.8% and 1.4% higher, respectively, than FY05 allocations—possibly less than maintenance funding. The House budget proposal represents a major setback, compared to H1 for FY06, for the mental health and special education needs of DYS young people.

Large numbers of youths in DYS custody have serious psychiatric disorders, including depression and psychosis. Many are considered to be inappropriately placed at DYS. The problem is widely considered to be systemic and linked to underfunding of other systems, particularly the Department of Mental Health and the Department of Social Services. Approximately 40% of DYS students have Special Education plans. Inadequate educational programs at DYS have become another barrier to the rehabilitation of these youth.

Line Item Analysis

Account: Residential Services for the Detained Population

Line Item: 4200-0200

The Residential Services for the Detained Population account funds services for youths who have been charged with an offense and are awaiting the outcome of their cases. In addition to residential placement, DYS is also responsible for providing or accessing educational/vocational, clinical, and medical services for these youth.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4200-0200	Residential: Detained	14,474,980	18,907,464	19,642,0222	19,252,964

FY06 Needs

For FY06, this account needs funding increases commensurate with growing populations and their increased level of need. Improving educational assessments and addressing the mental health needs of these youth through systemic change and a significant increase in resources is a major priority.

House Budget Recommendations

If one takes inflation into account, the apparent House budget increase of \$345,500 over the FY05 budget is actually a decrease of .3%.¹ The House budget proposal is \$389,058 less than in H1 for FY06.

Account: Residential Services for the Committed Population

Line Item: 4200-0300

The Residential Services for the Committed Population account funds residential placement for youths committed to DYS by the courts. DYS is also responsible for providing or accessing educational/vocational, clinical, and medical services for these youths. This account includes the Safety First Plan, which was established in FY05 to address the problem of suicide among DYS youth.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4200-0300	Residential: Committed	79,115,860	86,305,310	98,864,256	95,467,061

FY06 Needs

DYS has established the need for substantial funding increases to address gaps in mental health and education services and to sustain the Safety First Plan beyond FY05. The agency has outlined an initiative that includes adding intake staff; upgrading all clinical positions to appropriate licensing levels; increasing the number of staff for suicide watch on-call teams; adding a new training program; and improving facilities. Additionally, an estimated \$2 million is needed to update the 5-year-old Medical Service Contracts, including the addition of psychiatric consults. Fully funding these suicide initiatives is critical for expanding youths' access to quality mental health services.

House Budget Recommendations

The House budget funding of \$95,467,061 is a 7.5% increase over FY05 spending, including supplemental budgets. However, the allocation is \$3,397,195 (3.4%) less than in H1 for FY06.

H1 for FY06 recommends an increase of \$9.3 million for the Safety First Plan suicide prevention initiative, including funding for annualization of related services started in FY05. The House budget falls about \$5.4 million short of annualizing the initiative. The House budget does not include the \$2.5 million requested in H1 for FY06 for DYS educational services. DYS staff report that if these critical services are to be maintained, then there will be reductions in other services. These could include cutting the number of residential placements and reducing the length of stay.

¹ Budget data comes from the Mass. Budget and Policy Center.

Massachusetts Commission for the Blind

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-0001	Administration	\$1,159,477	\$939,292	\$1,104,714	\$1,099,067
4110-1000	Community Svcs.	4,093,938	3,733,070	3,653,326	3,711,958
4110-1010	SSI for the Blind	8,369,809	8,351,643	8,351,643	8,351,643
4110-1020	Admin/Medicare	421,813	321,461	316,884	315,769
4110-2000	Turning 22	7,798,576	8,074,775	8,891,043	8,611,435
4110-2001	Turning 22 New	320,000	297,000	4110-2000	295,000
4110-3010	Voc. Rehab	2,675,450	2,588,521	2,588,521	2,588,521
4110-4000	Ferguson Ind.	2,125,949*	1,885,073	1,847,796	1,843,525
Total	MCB	26,965,012	26,190,835	26,753,927	26,816,918

* This FY01 figure includes the \$387,000 that MCB reports it received in a supplemental budget for rent.

This chapter focuses on the House of Representatives' FY06 budget recommendations for the Massachusetts Commission for the Blind (MCB). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the MCB chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

The House budget recommends \$62,991 more than does H1 for FY06, yielding a total recommendation that is 2.4% above FY05 funding. Neither the House budget nor H1 for FY06 provides maintenance funding for the Community Services account (never mind needed expansion for the Deaf/Blind Community Access Network waiting list). Both budgets also fail to provide the needed increase for Vocational Rehabilitation to enable more students with vision impairments to go to college. Overall, the House budget comes closer than H1 for FY06 to providing for current MCB salaries, and both budgets do provide for the FY06 Turning 22 students. However, both budgets also under-fund needed annualization for the FY05 Turning 22 students (to continue services started to new participants in FY05). Both budgets continue to erode the Ferguson Industries program.

Advocates are calling for restorations of MassHealth coverage for visual, dental, preventative mental health, and other medical services that were cut in FY02. MCB-involved individuals often need new eyeglass prescriptions multiple times per year as their vision deteriorates. Advocates are requesting that \$250,000 be restored to MCB's Community Services account (line item 4110-1000).

Line Item Analysis

Account: Administration

Line Items: 4110-0001 and 4110-0003

The Administration account funds the administrative expenses of MCB. The Commission administers financial assistance, establishes eligibility for Medicaid, and provides social and vocational services for the blind.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-0001	Administration	\$1,159,477	\$939,292	\$1,104,714	1,099,067

House Budget Recommendations

The House budget recommends an amount that is \$159,775 (17%) above the FY05 level. However, the House budget figure is \$5,647 below H1 for FY06. MCB reports that \$156,000 of this increase is for chargebacks—money MCB must pay to the Executive Office of Health and Human Services (EOHHS) for centralized administrative services.

Account: Community Services
Line Item: 4110-1000

The Community Services account provides a range of supports that enable adults and children with blindness to live in the community. In FY04, MCB served 7,500 clients through this account.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-1000	Community Srvc.	4,093,938	3,733,070	3,653,326	3,711,958

FY06 Needs

MCB has established the need for an additional \$250,000 for this account in FY06. The funds would bring the appropriation up to \$3,983,070, still almost 3% below FY01's funding. The funds are for three areas: \$50,000 for technology for blind elders; \$50,000 in expansion money for the Deaf/Blind Community Access Network, which has 8–10 individuals on a waiting list; and \$150,000 for rehabilitation training, vision utilization, and communication services in community settings. Advocates support this increase.

House Budget Recommendations

The House budget recommends \$58,632 above H1 for FY06 for this account; this amount is still \$21,112 below FY05. Both budgets recommend below-maintenance funding, which will erode current services. Line item language earmarks \$350,000 for the Deaf/Blind Community Access Network and \$500,000 for the talking information center (Radio Reading Program).

Account: State Supplemental Security Income (SSI) for the Blind
Line Item: 4110-1010

The State Supplemental Security Income (SSI) for the Blind account funds benefits that augment those of the federal SSI program. Like federal SSI—an income supplement program funded by general tax revenues—this state program provides a modest cash benefit to low-income elderly, blind, and blind/disabled persons. In addition to monthly benefit payments, this account also funds minimal Emergency Assistance for its participants. Currently, about 4,175 Massachusetts residents receive benefits. People over the age of 65 make up more than 70% of this caseload.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-1010	SSI for the Blind	8,369,809	8,351,643	8,351,643	8,351,643

FY06 Needs

The FY03 budget cut \$18,166 from this line item, which had been level-funded for years.

House Budget Recommendations

Both the budget House budget and H1 for FY06 recommend level funding only for this program.

Account: Administration/Medicare
Line Item: 4110-1020

The Administration/Medicare account funds administrative staff who determine whether blind applicants are eligible for Medicaid. When an individual is found to be eligible, Medicaid benefits are then administered through the Division of Medical Assistance (DMA). The range of services available is the same as for all other Medicaid recipients: hospital, outpatient, physician and nursing home services; as well as medication, diagnostic, preventive and rehabilitative services.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-1020	Admin/Medicare	421,813	321,461	316,884	315,769

FY06 Needs

This account has been cut 25% since FY02 without any subsequent restorations.

House Budget Recommendations

The House budget recommends \$1,115 less than H1 for FY06, or \$5,692 (1.7%) less than FY05. MCB reports that the under-funding will cut significant hours from its nurse consultant contract, a position needed to help blind people obtain Medicaid prior approvals for services and devices. This example demonstrates how a small cut in dollars can have a very large impact on MCB participants.

Accounts: Turning 22 (T22) and Turning 22 New (T22 New)
Line Items: 4110-2000 and 4110-2001

The Turning 22 (T22) account funds community-based support and residential services for older deaf/blind and multi-disabled individuals and those who turned 22 in the previous year. This account should grow each year to annualize services to enrolled young people. Currently, residential services are provided to 69 individuals with multiple disabilities. An additional 418 deaf/blind and multi-disabled people receive some community-based support services through this account.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-2000	Turning 22	7,798,576	8,074,775	8,891,043	8,611,435
4110-2001	Turning 22 New	320,000	297,000	4110-2000	295,000
Totals:		8,118,576	8,371,775	8,891,043	8,906,435

FY06 Needs

MCB has established the need for \$295,000 to support 6 new Turning 22 (line item 4110-2001) program participants in FY06, and an additional \$467,000 to fully annualize FY05's T22 participants (line item 4110-2000). The total combined funding need for both accounts is \$8,836,775, without building back the FY02 service cuts. With the salary reserve dollars (to annualize the FY05 POS Salary Reserve initiative for the lowest-paid direct care workers), the accounts need a combined funding level of \$8,926,775.

House Budget Recommendations

The House budget recommends \$534,660 above the FY05 funding level for Turning 22 needs. This increase includes approximately \$90,000 for the salary reserve initiative for the lowest-paid direct care workers. Keeping in mind the salary reserve funds, MCB reports the account would be about

\$20,340 short of full funding for annualized services to Turning 22 program participants. New Turning 22 (line item 4110-2001) participants are fully funded, with the House budget recommending \$15,392 above that in H1 for FY06.

Account: Vocational Rehabilitation (VR)

Line Item: 4110-3010

The Vocational Rehabilitation (VR) account funds evaluation and assessment, the Technology for the Blind program, vocational training and equipment (including software), job placement assistance, and post-employment services. The goal of MCB's VR program is to assist all eligible and interested blind persons to secure employment, independent homemaker status, or non-competitive employment, depending upon their interests and abilities. In FY04, there were 1,400 active participants; 194 were rehabilitated.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-3010	Voc. Rehab	2,675,450	2,588,521	2,588,521	2,588,521

FY06 Needs

MCB has established the need for an increase of \$175,000 to this account to serve blind college and university students. Advocates report that MCB is serving 90 college and university students at present, but that in FY06 the number will jump to 150.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend level funding only for the VR account.

Account: Ferguson Industries

Line Item: 4110-4000

Ferguson Industries employs people with multiple disabilities to perform light industrial work producing home and office products for sale. A Homebound Program funds persons who work in their homes producing articles that are sold by Ferguson Industries. Sales bring in about \$900,000 in revenues annually. A portion of the revenues is returned to MCB, and any amount over \$700,000 goes back into the general fund. Currently, 34 blind/multi-disabled workshop employees are employed at Ferguson, down from 45 persons 11 years ago.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4110-4000	Ferguson Ind.	2,125,949*	1,885,073	1,847,796	1,843,525

* This figure includes the \$387,000 that MCB reports it received in a supplemental budget for rent.

FY06 Needs

MCB has established the need for an additional \$135,000 for this line item in FY06 to enhance Ferguson's production capacity and to hire new workers.

House Budget Recommendations

The House budget recommends \$4,271 less than does H1 for FY06. This amount is \$41,548 (2.2%) less than the FY05 funding level.

Massachusetts Commission for the Deaf and Hard of Hearing

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4125-0100	MCDHH	\$5,656,825	\$5,264,267	\$5,373,170	\$5,373,170
4125-0101	Interpreter Svcs. Ret. Rev.	105,000	175,000*	175,000*	175,000
4125-0122	Interpreter Chargeback	120,000	160,000*	160,000*	160,000
Totals	MCDHH	5,881,825	5,599,267	5,708,170	5,708,170

* Note: MCDHH collects about \$15,000 less than the combined ceilings for these revenue accounts.

This chapter focuses on the House of Representatives' FY06 budget recommendations for the Massachusetts Commission for the Blind (MCB). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the MCB chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

For MCDHH as a whole, both the House budget and H1 for FY06 recommend an increase of \$108,903 (2%). The budgets would maintain services at the FY05 level. Advocates are requesting an increase of \$558,903 for MCDHH in FY06.

Line Item Analysis

Unlike other agencies serving people with disabilities, MCDHH has one account for all its program funding, matched by 2 accounts for reimbursements from the federal government and other state agencies. Because of this funding structure, the charts are not reproduced within the analysis below.

Program: After Hours Emergency Interpreter Services

The After Hours Emergency Interpreter Services program provides on-call interpreters for deaf and hard of hearing persons experiencing medical, mental health, and legal emergencies that require immediate assistance. Funds for this program extend the regular weekday service into night and weekend hours by forwarding calls to the pagers of interpreters on duty in each region of the state.

FY06 Needs

To provide full coverage statewide, \$400,000 is needed for this program. MCDHH has established the need for an additional \$160,000 for this service in FY06.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Staff and Community Interpreter Services

The Staff and Community Interpreter Services program funds interpreters for deaf, late deafened, and hard of hearing individuals. Legal interpreters provide court room interpretation.

FY06 Needs

MCDHH has established the need for an additional \$125,000 in FY06 for communication access for substance abuse services.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Interpreting and CART (Communication Access Real Time Interpreting) Referral Services

The Interpreting and CART (Communication Access Real Time Interpreting) Referral Services program provides stenographers and computer equipment to individuals and organizations to help provide accommodations for persons with disabilities under the Americans with Disabilities Act (ADA) and other state and local statutes.

FY06 Needs

In FY05, this program is suffering from a severe shortage in freelance interpreters and the elimination of 3 of MCDHH's referral specialist positions. MCDHH has established the need for an additional \$100,000 in FY06 for CART services.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Communication Access, Training and Technology Services (CATTS)

The Communication Access, Training and Technology Services (CATTS) department within MCDHH provides general information and referrals, education and training, and technical assistance for assistive technology. CATTS services help other state agencies to understand their legal responsibilities to provide accommodations for deaf, late deafened, and hard of hearing persons, and hence creates access for these persons to a range of public and private services.

FY06 Needs

Since FY01, these services have been cut by 50%. Restorations are critical for ensuring deaf individuals' access to other state services, as well as adequate enforcement of ADA rights.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Hard of Hearing Outreach

The Hard of Hearing Outreach program had been responsible for publicizing services that can meet the needs of hard of hearing residents in the state.

FY06 Needs

In FY02, funds for Hard of Hearing Outreach were eliminated—a \$250,000 loss. Program restoration would help ensure that individuals in need of deaf and hard of hearing services can access them.

House Budget Recommendations

Neither the House budget nor H1 for FY06 restores this program.

Program: Case Management

The Case Management program assists deaf, hard of hearing, and late deafened persons in coordinating and navigating the range of supports they may need. The total MCDHH adult/child caseload was approximately 3,420 in FY04.

FY06 Needs

New clients currently have to wait 6 weeks to be contacted by a case manager. MCDHH has established the need for an additional \$225,000 in FY06 for case management and social services positions.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Assistive Technology

Through the Assistive Technology program, MCDHH provides “funds of last resort” for supports that enable low-income individuals to live independently. These include: hearing aids; hearing aid repairs; Assistive Listening Devices; closed caption television decoders; baby cry lights; doorbell lights; visual/vibrating alarm clocks and smoke alarms; door knock lights; and other devices.

FY06 Needs

The waiting list is currently at 123 persons. The deaf community is advocating for all health insurance providers to cover a minimum of 85% of the cost of hearing aids. Hearing aids cost \$2,000–3,000 and last an average of 5 years. It is estimated that only 25% of people who would benefit from hearing aids receive effective hearing-related health care.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Program: Deaf and Hard of Hearing Independent Living Services (DHILS)

The Deaf and Hard of Hearing Independent Living Services (DHILS) programs are operated through a statewide network of 10 private, nonprofit agencies. DHILS agencies employ persons who are themselves deaf, late deafened, or hard of hearing as Independent Living Specialists to work with individuals to set and achieve their own personal goals for independent functioning. The DHILS programs serve approximately 1,360 individuals annually.

FY06 Needs

In FY02, DHILS agencies were cut by 8%. They have received no increases since. MCDHH has requested an additional \$100,000 in FY06 for DHILS.

House Budget Recommendations

Both the House budget and H1 for FY06 would maintain services at the FY05 level.

Massachusetts Department of Public Health

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4510-0600	Environmental Health Services	3,947,284	3,146,865	3,187,661	3,185,321
4512-0103	AIDS Prevention, Treatmt. & Svcs.	49,569,025	33,344,099	34,697,303	35,297,303
4512-0106	HIV Rebates (Ret. Rev.)	1,200,000	1,900,000	1,900,000	1,900,000
4512-0500	Dental Health Services	1,305,021	1,556,150	1,556,150	1,678,150
4512-0501	Tufts Dental Prog. Equip.	--	0	--	--
4512-1300	Family Planning Services	977,344	0	--	--
4513-1000	Family Health Services	12,775,715	7,010,000	8,332,196	7,652,196
4513-1002	WIC Nutrition Services	13,927,265	12,571,048	12,859,601	12,859,601
4513-1010	Early Intervention (Ret. Rev.)	2,414,628	2,700,050	2,700,050	2,700,050
4513-1012	WIC (Ret. Rev.)	22,513,925	23,230,000	24,076,000	24,076,000
4513-1020	Early Intervention	29,663,816	29,270,778	29,840,024	29,840,024
4513-1021	Early Intervention Respite Svcs.	414,663	0	--	--
4513-1023	Newborn Hearing Screening	83,085	83,060	83,060	83,060

* Final FY05 numbers include Prior Appropriations continued in the September FY04 supplemental budget.

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Massachusetts Department of Public Health (MDPH). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the MDPH chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

No Restoration for MDPH

The House budget funds MDPH with \$417.24 million. This amount is just \$11.24 million (2.7 %) more than the FY05 budget and \$7.12 million more than in H1 for FY06.¹ To put these numbers in context, the FY05 MDPH budget is currently 23% below that for FY01, unadjusted for inflation.

Line Item Analysis

Account: Environmental Health

Line Item: 4510-0600

The Environmental Health account funds: the Division of Food and Drugs; the Radiation Control Program; the Bureau of Environmental Health Assessment; the Community Sanitation Program; and the Renal Disease Program. The Bureau of Environmental Health Assessment's services include the tracking or surveillance of important diseases such as childhood asthma, cancers, and lead poisoning. Low-income children are disproportionately exposed to lead poisoning, as they more often live in older housing.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4510-0600	Environmental Health Services	3,947,284	3,146,865	3,187,661	3,185,321

¹ This information is provided by the Massachusetts Public Health Association. Experienced budget trackers will be interested in knowing that these figures do not include a \$6 million retained revenue account for school health services that was included in the FY05 and H1 for FY06 budgets, but had not been included in prior years. Typically, the state does not collect revenue nor spend from this account anyway.

FY06 Needs

Between FY01–FY04, funding for this line item was cut 37%, with 33% of all funded positions eliminated—a loss of both infrastructure and expertise. The cuts impact services required by statute and provided by the Division of Food and Drugs, Bureau of Environmental Health Assessments, Radiation Control, and the Community Sanitation Program. Restoration funding is urgently needed.

House Budget Recommendations

Neither the House budget nor H1 for FY06 recommend any restoration funding. The House budget recommends \$58,465 above the FY05 funding, a below-maintenance increase of 1.85%.

Account: HIV/AIDS Bureau

Line Items: 4512-0103 and 4512-0106

The HIV/AIDS Bureau is funded through 2 separate accounts. Line 4512-0103 funds: HIV/AIDS Counseling and Testing Services; HIV/AIDS Specialty Care Services; HIV/AIDS Client Support Services; Prevention and Education Services; and Substance Abuse Services. Line 4512-0106, a retained revenue account collecting federal financial participation (ffp), funds the HIV Drug Assistance Program (HDAP, which also receives funds through line item 4512-0103), to pay for life-saving AIDS medications for income-eligible people who are under- or uninsured.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4512-0103	AIDS Prevention, Treatmt. & Svcs.	49,569,025	33,344,099	34,697,303	35,297,303
4512-0106	HIV Rebates (Ret. Rev.)	1,200,000	1,900,000	1,900,000	1,900,000
<i>Totals, HIV/AIDS Bureau:</i>		<i>50,769,025</i>	<i>35,244,099</i>	<i>36,597,303</i>	<i>37,197,303</i>

FY06 Needs

Advocates are asking for an additional \$5.1 million for line item 4512-0103 in FY06 to fund \$3.1 million for HDAP, to cover the rise in HIV infections (1,000 new infections per year), and \$1.9 million for Education and Prevention, Treatment, and Support Services.

House Budget Recommendations

The House budget recommends just \$1,953,204 (5.5%) above the FY05 allocation in line item 4512-0103. H1 for FY06 proposes an increase of \$1,353,204 (4.1%). MDPH reports that \$1.086 million of the increase is maintenance funding for HDAP, to continue supporting the 4,000 clients projected by the end of FY05. At this funding level, it is likely that new enrollees in FY06 will have to be placed on a waiting list for life-sustaining drugs.

Account: Dental Health

Line Item: 4512-0500

The Dental Health account funds the Office of Oral Health, which provides public education and dental care for people who are court-mandated and for people with developmental disabilities.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4512-0500	Dental Health Services	1,305,021	1,556,150	1,556,150	1,678,150
4512-0501	Tufts Dental Prog. Equip.	--	0	--	--

FY06 Needs

Advocates are working to bring water fluoridation to all Massachusetts communities with public water supplies serving more than 5,000 residents. The state ranks 35th in the nation for fluoridation.

House Budget Recommendations

The House budget recommends an additional \$122,000 above the FY05 funding level.

Account: Family Health Services
Line Items: 4512-1300 and 4513-1000

The Family Health Services account funds Primary Care Programs for Pregnant Women, Children, and Adolescents (and a number of other programs, not discussed here). These programs provide primary care to more than 130,000 persons in 40 sites serving low-income and/or medically underserved communities across the state. Federal Maternal and Child Health funds also support these programs.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4512-1300	Family Planning Services	977,344	0	--	--
4513-1000	Family Health Services	12,775,715	7,010,000	8,332,196	7,652,196
Totals:		13,753,059	7,010,000	8,332,196	7,652,196

FY06 Needs

Advocates are seeking a \$1.8 million increase for line item 4513-1000 in order to earmark \$6 million for family planning. They also would like to see \$400,000 of this money earmarked for HIV counseling and testing services for at-risk family planning program participants.

House Budget Recommendations

The House budget recommends a small increase of just \$680,000 (9.7%), compared with the much larger increase of \$1,322,196 (15.8%) proposed in H1 for FY06.

Account: Special Supplemental Nutrition Program for Women, Infants, & Children (WIC)
Line Items: 4513-1002 and 4513-1012

The Special Supplemental Nutrition Program for Women, Infants, & Children (WIC) program is a joint state-funded and federally-funded program. Line item 4513-1012 is a retained revenue account for federal matching funds the program generates. WIC provides supportive services and checks to buy protein rich food to low- and moderate-income pregnant, breastfeeding and postpartum women; infants; and children up to age five who are certified as medically or nutritionally at-risk.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4513-1002	WIC Nutrition Services	13,927,265	12,571,048	12,859,601	12,859,601
4513-1012	WIC (Ret. Rev.)	22,513,925	23,230,000	24,076,000	24,076,000
Totals:		36,441,190	35,801,048	36,935,601	36,935,601

FY06 Needs

MDPH has established the need for a \$1.1 million increase to the 4513-1002 account in FY06 for an anticipated 5% inflationary rise in food expenses, particularly the price of milk. An additional \$846,000 is requested for line item 4513-1012 for a 5% increase in the cost of infant formula.

House Budget Recommendations

Both the House budget and H1 for FY06 provide \$12,859,601 for line item 4513-1002, a \$288,533 (2.3%) increase over FY05 funding. It is essentially level funding, because the new money is for

continuing the POS Salary Reserve initiative first funded through a separate account in FY05. Both budgets, however, also increase the ceiling on the WIC retained revenue account (line item 4513-1012) by \$846,000. The combined funding would cover an average monthly caseload of 120,555.

Account: Early Intervention

Line Items: 4513-1010, 4513-1020, 4513-1021

The Early Intervention (EI) accounts fund a statewide, comprehensive, developmental service available to families of children from birth to age 3 who have or are at risk for developmental delays. MDPH estimates the FY05 caseload will reach 30,294 persons (6.5% more than in FY04).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4513-1010	Early Intervention (Ret. Rev.)	2,414,628	2,700,050	2,700,050	2,700,050
4513-1020	Early Intervention	29,663,816	29,270,778	29,840,024	29,840,024
4513-1021	Early Intervention Respite Svcs.	414,663	0	--	--
Totals:		32,493,107	31,970,828	32,540,074	32,540,074

FY06 Needs

MDPH has established the need for a \$558,000 increase in line item 4513-1020 in FY06—\$384,994 is for an anticipated FY06 increase in costs for services to children with autism spectrum disorders and \$173,006 is for FY06 caseload growth. Advocates are requesting a \$2 million increase to line item 4513-1020 in FY06, earmarked for program enhancement (not caseload growth). The funds are needed for services—such as translator services and parent/family liaisons—that have been cut in recent years. In total, advocates seek \$31,188,130 for line item 4513-1020 in FY06. Advocates also call for the program to remain at MDPH and not to be moved into the new Department of Early Education and Care, to ensure that insurance providers continue to be able to reimburse for medically necessary services.

House Budget Recommendations

Both the House budget and H1 for FY06 propose \$569,246 (1.9%) above FY05 funding. The program would remain at MDPH and not be consolidated into the new DEE&C. MDPH reports that \$558,000 of this money would allow the program to serve 31,764 children—a 5% increase over the projected caseload of 30,251—during FY06. About 70% of the funding beyond that for caseload increases will support specialty services for children with autism, and 30% will cover the general EI direct services caseload increase. An additional new \$11,246 is for continuing the POS Salary Reserve initiative first funded through a separate account in FY05.

Account: Universal Newborn Hearing Screening

Line Item: 4513-1023

The Universal Newborn Hearing Screening account funds the tracking, notification, and follow-through of newborns with potential hearing disorders to families, primary care providers, and early intervention programs. Since passage of a 1998 statute, hearing screenings are required prior to a newborn's discharge from a hospital or birthing center.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4513-1023	Newborn Hearing Screening	83,085	83,060	83,060	83,060

House Budget Recommendations

Both the House budget and H1 for FY06 recommendations provide level funding only.

Massachusetts Rehabilitation Commission

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-1000	Admin.	\$367,321	\$409,264	\$571,395	\$571,395
4120-2000	VR Services	7,520,413	7,459,207	7,476,987	7,476,987
4120-3000	Employment Services	9,025,618	7,886,816	7,968,942	7,960,068
4120-4000	Ind. Living	7,023,433	7,520,512	7,798,601	7,869,714
4120-4001	Housing Registry	100,000	83,754	83,754	83,754
4120-4010	Turning 22	--	1,065,000	712,550	712,550
4120-5000	Home Care	4,704,801	4,339,768	4,391,217	4,417,049
4120-5050	Home Care Ret. Rev.	2,000,000	2,000,000	2,000,000	2,000,000
MRC	<i>Subtotals w/o SHIP:</i>	<i>\$30,741,586</i>	<i>\$30,764,321</i>	<i>\$31,003,446</i>	<i>\$31,091,517</i>
4120-6000	SHIP	6,923,277	6,000,568	\$7,218,168	6,955,515
4120-6001	SHIP Trust Fund	750,000	off budget	--	--
4120-6002	SHIP Trust Ret. Rev.	2,000,000	off budget	off budget	Off budget
SHIP	<i>Head Injury Totals:</i>	<i>\$9,673,277</i>	<i>\$6,000,598**</i>	<i>7,218,168**</i>	<i>6,966,515**</i>
MRC	Totals:	\$40,414,863	\$36,764,889	\$38,221,614	38,047,032

** SHIP totals exclude “off budget” trust fund dollars. MRC spends about \$6,748,592 annually from the trust.

This chapter focuses on the House of Representatives’ FY06 budget recommendations for the Massachusetts Rehabilitation Commission (MRC). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the MRC chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

No Relief for Most Waiting Lists

The House budget recommendation is \$174,582 below that in H1 for FY06. It is \$1,282,143 (3.48%) above the FY05 funding level. As does H1 for FY06, this budget makes some progress in funding Turning 22 (T22)—the adult services provided to students who graduate or age out of special education or other youth services. The House budget provides \$712,550 for new T22 program participants, but inadequate annualization funding to continue services to all current clients. The \$174,582 missing from the House budget would impact those services. In order to continue services to current T22 clients, MRC would have to serve fewer “new” Turning 22 consumers in FY06. In contrast, H1 FOR FY06 had fully funded both annualization and new Turning 22 participant needs.

In addition, the House budget proposes no relief for the Independent Living Centers (ILCs) nor for the Home Care crisis. The ILCs have had level funding for 5 years and Home Care has a 4-month processing list for services. Home Care is supposed to be an entitlement under the state Medicaid plan and not carry waiting lists. Vocational Rehabilitation (VR) and its long waiting list would also make no progress under this budget. Individuals with disabilities, advocates, and families will be looking to the Senate to help restore the effectiveness of these programs for FY06.

Line Item Analysis

Account: Administration

Line Item: 4120-1000

The Administration account funds the administrative expenses of the MRC, including the state-funded staff who run MRC programs. Federal funds pay for the bulk of MRC staff salaries.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-1000	Admin.	\$367,321	\$409,264	\$571,395	\$571,395

FY06 Needs

FY05 funding remains \$71,524 below that of FY02 (when it was \$480,788), a cut of nearly 15%. Consequently, operational costs are still being shifted to program/service accounts—this is a problem to address in FY06.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend an increase of \$162,131 (39%) above the FY05 allocation.

Account: Vocational Rehabilitation (VR) Services**Line Item: 4120-2000**

The Vocational Rehabilitation (VR) account provides funding to operate 25 Vocational Rehabilitation area offices and 215 rehabilitation counselor positions. Vocational rehabilitation, employment, job placement, and van and housing modification services are provided to persons with mental or physical disabilities (except those who are blind and are served through the Massachusetts Commission for the Blind [MCB]).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-2000	VR Services	7,520,413	7,459,207	7,476,987	7,476,987

FY06 Needs

In FY03, the VR waiting list ballooned to 7,000 persons. Many went unserved and dropped off the list out of discouragement. By FY04, the list was at 1,500–2,000 persons, with an average 4-month wait. While MRC has established the need for an additional \$500,000, the State Rehabilitation Council is requesting an additional \$800,000 to reduce the waiting list.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend an increase of just \$17,780. There are no new service funds for VR.

Account: Statewide Employment Services (SES)**Line Item: 4120-3000**

Statewide Employment Services (SES) funds the Extended Employment Program (EEP, \$5 million) and Community-Based Employment Services (CBES, \$2.4 million). EEP funds rehabilitation in facility-based (sheltered) and community-based employment settings for persons with severe disabilities. EEP served 832 people in FY05. CBES—a supported work program for people with severe disabilities—served 800 people in FY04.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-3000	Employment Services	9,025,618	7,886,816	7,968,942	7,960,068

FY06 Needs

MRC has requested \$416,000 to eradicate the EEP and CBES waiting lists in FY06. The State Rehabilitation Council has requested an additional \$500,000 for CBES to provide the extended supports that individuals need to remain in competitive work.

House Budget Recommendations

The House budget recommends \$73,252 above FY05 funding, a less than 1% increase. The House budget proposal is \$8,874 less than in H1 for FY06. The increase is salary reserve funding for vendored direct care workers only.

Accounts: Independent Living and Turning 22 Services

Line Items: 4120-4000 and 4120-4010

The Independent Living and Turning 22 Services accounts fund: Independent Living Centers, Adult Supported Living Services, Assistive Technology (including Project SHARE), Protective Services, and Turning 22 Services (including the Transition to Adulthood Program).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-4000	Ind. Living	7,023,433	7,520,512	7,798,601	7,869,714
4120-4010	Turning 22	--	1,065,000	712,550	712,550

FY06 Needs

The FY06 needs for each of the programs funded by these line items are discussed separately below.

- ILCs (line item 4120-4000): MRC has established the need for an additional \$500,000 for the ILCs in FY06. Meanwhile, independent living advocates are asking for a \$1 million increase—\$500,000 to help the ILCs meet the nursing home diversion goals being set by EOHHS (*Olmstead*) and \$500,000 for base funding parity (equal base funding to each center) for the ILCs statewide.
- Adult Supported Living (line item 4120-4000): MRC has established the need for an additional \$312,000 to eliminate the current ASL waiting list in FY06. Advocates have been talking for years about the need to expand supported living. There is also a need for PCA workforce development and PCA screening services.
- Assistive Technology Services (line item 4120-4000): Advocates identify AT funding as just scraping the surface of the needs in the Commonwealth. MRC estimates that an additional \$375,000 would serve the current waiting list of 75 people.
- Turning 22 (T22, line items 4120-4000 and 4120-4010): For FY06, MRC needs an additional \$390,000 to continue services to the FY05 T22 program participants (annualization funds in line item 4120-4000). Also needed are \$900,000 new dollars in the SHIP account (annualization funds in line item 4120-6000). Line item 4120-4010 needs a minimum of \$600,000 for new Turning 22 participants from the SHIP program, the Independent Living programs, and for students assigned to MRC through the Transitional Advisory Committee. These are people with serious disabilities who fall through the eligibility cracks of the disability agencies.

Under funding of Turning 22 services has been a growing problem for many years. Central to the issue has been how to pay for Turning 22 annualization, particularly for brain-injured Turning 22 program participants, whose needs can run up to \$150,000 per year per person. At DMR and MCB, annualized costs—the second year of services for a young person who started adult services the previous year—are rolled into the base of the appropriate services account. In contrast, MRC

routinely has had to shift much of its new Turning 22 funds for services to last year's group. Waiting lists have resulted, and other IL and SHIP services have been squeezed.

House Budget Recommendations

Both the House and H1 for FY06 propose \$712,550 for the T22 account (line item 4120-4010) for new program participants. This amount is less than that for FY05, and most of FY05's Turning 22 account is currently paying for annualization, not new participants. For the first time in a long time, expansion dollars are recommended to serve a significant number of new Turning 22 participants and annualization funds are provided for last year's group.

The House budget, like H1 for FY06, provides T22 annualization funds to the base of two accounts—\$280,000 in the Independent Living account (line item 4120-4000) and \$817,347 in the Statewide Head Injury appropriations account (line item 4120-6000, see below). The House budget is \$126,247 short of what is needed in line item 4120-4000 for annualization, and \$82,653 short of what is needed in line item 4120-6000. This funding would provide inadequate support for those who entered adult services in FY05. If the House budget amount prevails, MRC will likely have to “raid” the new T22 funds to cover those already being served, and therefore fewer students will enter adult services in FY06 than would be possible with adequate annualization funding.

Outside of T22 funding, the House budget provides just level funding to other IL programs, including the ILCs. The salary reserve for the lowest-paid vendored direct care workers receives \$85,449.

Account: Housing Registry (Mass Access)

Line Item: 4120-4001

The Housing Registry, also known as Mass Access, maintains a central registry of accessible and adaptable housing for people with disabilities and matches people seeking housing to available accessible units. In FY03, over 500 people located accessible housing through the Registry.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-4001	Housing Registry	100,000	83,754	83,754	83,754

FY06 Needs

Since FY01, the Housing Registry account has been cut by 16.25%. Cuts impact the Registry's ability to maintain real-time updates of the housing database.

House Budget Recommendations

Both the House budget and H1 for FY06 recommend just level funding for this account.

Account: Home Care Services

Line Items: 4120-5000 and 4120-5050

The Home Care Services program provides grocery shopping, meal preparation, medication pick-up, laundry, and light housekeeping assistance for people with severe disabilities between the ages of 18–59 who live alone (or with minor children) and whose disabilities put them at risk of re-hospitalization or institutionalization. Only MassHealth-eligible individuals are now served.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-5000	Home Care	4,704,801	4,339,768	4,391,217	4,417,049
4120-5050	Home Care Ret. Rev.	2,000,000	2,000,000	2,000,000	2,000,000

FY06 Needs

MRC has established the need for an additional \$2,774,571 (a 64% increase) for Home Care. The money would help to address the current “backlog” of clients (including those who are not MassHealth-eligible) and the projected increase of 20 additional applicants per month. MRC also would like to see an increase of \$500,000 for the retained revenue account that captures federal financial participation (ffp) and is largely obligated by Home Care rate increases (line item 4120-5050). Advocates are calling for an additional \$250,000 in line item 4120-5000 to address the Home Care waiting list.

House Budget Recommendations

Both the House and H1 for FY06 provide no relief for the waiting list. The House budget recommends just \$77,281 more than FY05, and \$51,449 of the increase to this line item is for the salary reserve initiative funded in FY05 for the lowest-paid vendored direct care workers.

Account: Statewide Head Injury Program (SHIP)

Line Item: 4120-6000, 4120 and 4120-6002

The Statewide Head Injury Program (SHIP) supports community services for people with traumatic brain injury (TBI).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4120-6000	SHIP	6,923,277	6,000,568	\$7,218,168	6,955,515
4120-6001	SHIP Trust Fund	750,000	off budget	--	--
4120-6002	SHIP Trust Ret. Rev.	2,000,000	off budget	off budget	Off budget
SHIP	<i>Head Injury Totals:</i>	<i>\$9,673,277</i>	<i>\$6,000,598**</i>	<i>7,218,168**</i>	<i>6,966,515**</i>

FY06 Needs

Survivors of head injuries are in need of increased residential services. About 75% of individuals with head injuries live with their parents, and as individuals and parents grow older, the need for supportive residential services increases. There are 2,500 people on the SHIP waiting list. MRC reports that a \$900,000 increase is necessary in FY06 to annualize services for SHIP T22 participants who entered the program in FY05.

Advocates are calling for an additional \$3 million for the SHIP account in FY06. The funds would be divided as follows: \$500,000 for a regional Information and Resource system statewide; \$500,000 for a comprehensive residential program for battered women who have sustained a Traumatic Brain Injury (TBI), many of whom are homeless; and \$2 million for the waiting list (to serve 40 people). Advocates are also calling on the state to create services for those with Acquired Brain Injuries (such as stroke victims).

House Budget Recommendations

The House budget proposes \$262,653 less than H1 for FY06. Still, the House budget amount would be an increase of \$954,947 over FY05 funding. Of this increase, \$124,880 is for annualization costs of the FY05 salary reserve initiative and \$12,720 is for other salary increases, leaving \$817,347 for Turning 22 annualization needs. SHIP needs \$900,000 to cover services to current program participants. Aside from Turning 22 funds, no expansion funds are provided to address anyone off the long SHIP waiting lists for services.

Office of Medicaid (MassHealth)

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0352	MassHealth Enroll. Outrch.	(1,000,000 earmark: line 4000-0310)	0	250,000	500,000
4000-0430	CommonHealth	42,112,325	83,224,049	75,246,379	84,396,753
4000-0500	Managed Care	1,490,620,301	2,319,197,919	1,977,150,989	2,074,169,186
4000-0600	Sr. Care Plans**	1,648,865,785	1,697,117,500	1,783,969,375	1,825,981,999
4000-0620	Sr. Care Options**	--	83,275,500	86,777,546	67,998,937
4000-0625	HHA Rate Increase**	--	4,000,000	0	67,000,000
4000-0700	Indemnity/3 rd Party Plans	736,800,329	1,239,530,000	1,498,059,398	1,580,139,483
4000-0860	MassHealth Standard	246,937,392	390,030,100	389,892,223	391,509,801
4000-0870	MassHealth Basic	214,230,819	111,642,118	56,372,203	61,326,314
4000-0895	Healthy Start	8,077,556^^	14,213,532	15,447,686	15,991,921
4000-0896	MassHealth Ess.: Imgrnts.	--	2,000,000^	0	0
4000-1400	MassHealth HIV	10,000,000	8,732,000	6,926,068	7,589,164
4000-1405	MassHealth Essential***	--	OutsideSection: \$160,000,000	119,377,890^^^	129,567,170^^^

** These accounts are overseen by the Department of Elder Affairs (DEA). See the DEA chapter for analysis.

*** MassHealth Essential was moved on budget in H1 for FY06.

^ This amount includes a September 2004 supplemental appropriation for elderly and disabled immigrants only.

^^ FY01 funding for Healthy Start was allocated in the Mass. Department of Public Health, line item 4513-1005.

^^^ Because the money for 4000-1405 in FY06 will come from the Uncompensated Care Pool, it follows the hospital fiscal year of October 1, 2004–September 30, 2005. Hence, the dollars proposed in H1 for FY06 and the House budget are intended only to cover the 9-month period from October 1, 2005–June 30, 2006.

This chapter focuses on the House of Representatives' FY06 budget recommendations for programs serving persons with disabilities within the Office of Medicaid (MassHealth). For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the Office of Medicaid chapter in the Volume I table of contents.

HOUSE BUDGET OVERVIEW

House Budget Inadequate to Meet Need

House budget spending for MassHealth in FY06 would total approximately \$6.945 billion. Although it appears that this amount is greater than that in H1 for FY06, the apparent increase is mainly due to a difference in how the two budgets account for carry-over funds from FY05. In fact, proposed House budget MassHealth spending is about equal with that in H1 for FY06. Neither budget has major initiatives to address the health care coverage needs of the 500,000 uninsured residents of Massachusetts. The House budget is meant to accommodate an enrollment increase from 980,000 to 1 million people. Given health care inflation rates close to 8%, this goal may be unrealistically optimistic within the proposed allocation.

The House budget does not restore benefits and eligibility cuts imposed over the last few years. Coverage of adult dentistry and eyeglasses, a priority for disability advocates, is not restored. Enrollment caps remain in place for CommonHealth, the MassHealth HIV Program, and the Insurance Partnership. An enrollment freeze is likely for MassHealth Essential, a managed care program for long-term unemployed adults, which included many long-term DMH consumers. The House budget neglected to extend MassHealth coverage through age 20 for the approximately 600

youth who “age out” of DSS foster care each year, a serious burden for these youth as they exit this system.

The House budget maintains last June’s restoration of coverage to 3,000 elderly and disabled legal immigrants. H1 for FY06 would have terminated coverage for these individuals. The House budget also restored \$86 million to the “off-budget” Uncompensated Care Pool that provides funding to reimburse hospitals for free care to low-income and uninsured people.

Line Item Analysis

Account: MassHealth Enrollment Outreach Grants

Line Item: 4000-0352

The MassHealth Enrollment Outreach Grants account would fund nonprofit groups to encourage enrollment of eligible but uninsured persons in MassHealth programs. One of these programs is CommonHealth.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0352	MassHealth Enroll. Outrch.	(1,000,000 earmark: line 4000-0310)	0	250,000	500,000

FY06 Needs

Approximately 100,000 people in Massachusetts, including more than 5,000 adults with disabilities, may be eligible for CommonHealth (see line item 4000-0430, below) but not enrolled.

House Budget Recommendations

The House budget funds this new account at \$500,000. While it is an increase of \$250,000 over H1 for FY06, similar programs in the past have received \$1 million and more.

Account: CommonHealth

Line Item: 4000-0430

The CommonHealth account funds health insurance for some children with disabilities and for adults with disabilities who are employed or seeking employment. Participants with incomes above 150% of the federal poverty level are charged sliding-scale premiums.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0430	CommonHealth	42,112,325	83,224,049	75,246,379	84,396,753

FY06 Needs

The CommonHealth program currently operates with a flexible enrollment cap of 11,850–13,000 adults. That means that the Office of Medicaid can close enrollment when it reaches 11,850 persons and must do so when the program has 13,000 enrollees. However, the agency so far has chosen not to implement the enrollment cap, and as of November 2004 the program had 14,900 enrollees. Repealing enrollment caps for CommonHealth is a priority. Additionally, advocates are concerned that aggressive Disability Determination Reviews have found fewer people disabled and have consequently depressed enrollment.

House Budget Recommendations

The House budget recommends \$84.4 million, \$1.2 million (1.4%) more than FY05 funding and \$9.2 million more than in H1 for FY06. The administration predicts a \$4.6 million FY05 surplus in this account.

Account: Managed Care Plans

Line Item: 4000-0500

The Managed Care Plans account pays for those enrolled in several MassHealth programs: MassHealth Standard (also funded in 4000-0860); MassHealth Essential (also funded in 4000-1405); MassHealth Family Assistance (also funded in 4000-0880 and 4000-0890); and MassHealth Basic (also funded in 4000-0870). Claims for the state's primary care clinician plan, mental health and substance abuse program, and HMO plans are also covered. Enrollees are more than 500,000 adults and children.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0500	Managed Care	1,490,620,301	2,319,197,919	1,977,150,989	2,074,169,186

House Budget Recommendations

The House budget funds this account at \$245 million (10.6%) less than FY05 funding and 4.9% more than the governor's FY06 proposal. H1 for FY06 cut this account by \$302 million (14%) from projected FY05 spending. Because some funds may be transferred among accounts, the cuts do not necessarily amount to service reductions.

Accounts: Senior Care Plans, Senior Care Options, and Home Health Aide Rate Increase

Line Items: 4000-0600, 4000-0620, 4000-0625

Please see the Department of Elder Affairs chapter for coverage of the Senior Care Plans, Senior Care Options and Home Health Aide Rate Increase accounts. Note that funding for these programs continues to come from MassHealth, and is therefore counted as part of total MassHealth spending.

Account: Indemnity and Third Party Plans

Line Item: 4000-0700

The Indemnity and Third Party Plans account covers the costs of claims for seniors and families who exhaust other insurance options. Since MassHealth is the payer of last resort, it often pays for seniors' Medicare premiums and for the premiums of members with employer-sponsored insurance. About 85,000 of the 130,000 adults and children covered are people with disabilities.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0700	Indemnity/3 rd Party Plans	736,800,329	1,239,530,000	1,498,059,398	1,580,139,483

FY06 Needs

Expenditures in FY05 are projected to be \$32 million lower than appropriated, leaving a surplus. Budget analysts report that starting in FY06, the MassHealth Medicare Buy-In program (formerly off-budget) will be incorporated into this line item and reflected in the line item appropriations.

House Budget Recommendations

H1 for FY06 allocates \$290 million in additional funds for the Indemnity and Third Party Plans. The House budget allocates \$82 million more than does H1 for FY06.

Account: MassHealth Standard

Line Items: 4000-0860

The MassHealth Standard program is the largest MassHealth coverage group with the most comprehensive package of benefits, including long-term care, personal care, adult day health, and early intervention services. About 807,000 residents are enrolled in the program, of which about 160,000 are adults with disabilities and 18,000 are children with disabilities.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0860	MassHealth Standard	246,937,392	390,030,100	389,892,223	391,509,801

FY06 Needs

In FY04, MassHealth Standard members faced increased premiums and co-pays, resulting in loss of coverage and barriers to enrollment. Restoring premiums to their original levels is a priority. Although the administration had proposed additional asset tests as part of adult eligibility screening, it has reportedly committed not to implement the tests in FY05. Advocates consider the issue safe for now.

House Budget Recommendations

Both the House budget and H1 for FY06 essentially level fund MassHealth Standard with the FY05 level. The House budget did not reduce the amount families must pay in premiums.

Account: MassHealth Basic

Line Item: 4000-0870

The MassHealth Basic program is a stripped-down version of MassHealth Standard, providing a package of benefits that is more limited in amount, duration and scope.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0870	MassHealth Basic	214,230,819	111,642,118	56,372,203	61,326,314

FY06 Needs

In 2003, as a result of budget cuts, 36,000 of MassHealth Basic's 60,000 members were terminated from coverage. By FY05, only approximately 12,000 persons were enrolled.

House Budget Recommendations

The House budget does not support proposals for imposing work requirements on most adults with disabilities who are enrolled in the Emergency Aid to Elderly, Disabled, and Children program (EAEDC). These people receive MassHealth Basic. The change likely would have caused many to lose benefits for noncompliance due to inability to work. H1 for FY06 reduces funding by 50% from FY05 funding, based on estimates of declining enrollment due to H1 for FY06 proposed policy changes. The House budget proposes a 45% cut.

Account: Healthy Start**Line Item: 4000-0895**

The Healthy Start program provides prenatal care to low-income women and infants who are ineligible for MassHealth.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0895	Healthy Start	8,077,556^^	14,213,532	15,447,686	15,991,921

^^ FY01 funding for Healthy Start was allocated in the Mass. Department of Public Health, line item 4513-1005.

FY06 Needs

Advocates anticipate that current FY05 funding will fully covers costs and enrollment.

House Budget Recommendations

The House budget for Healthy Start in FY06 is \$544,235 (3.5%) over that in H1 for FY06 and 25% more than projected FY05 spending, to cover an anticipated caseload increase.

Accounts: MassHealth Essential and MassHealth Essential for Immigrants**Line Items: 4000-0896 and 4000-1405**

MassHealth Essential provides basic managed care coverage for long-term unemployed adults below the poverty line. All of the beneficiaries would be eligible for the Uncompensated Care Pool if not enrolled in MassHealth Essential.

Mass Health Essential for Immigrants has provided coverage for elderly or disabled adult legal immigrants since June 2004. (The new program represented a limited success for efforts to restore benefits to the entire group of 10,000 immigrants who had lost state-funded coverage in 2003.) These benefits were extended to June 2005 through a FY05 supplemental budget.

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-0896	MassHealth Ess.: Imgrnts.	--	2,000,000^	0	0
4000-1405	MassHealth Essential***	--	OutsideSection: \$160,000,000	119,377,890^^^	129,567,170^^^
Totals:		--	162,000,000	119,377,890	129,567,170

*** MassHealth Essential was moved on budget in H1 for FY06.

^ This amount includes a September 2004 supplemental appropriation for elderly and disabled immigrants only.

^^^ Because the money for 4000-1405 in FY06 will come from the Uncompensated Care Pool, it follows the hospital fiscal year of October 1, 2004–September 30, 2005. Hence, the dollars proposed in H1 for FY06 and the House budget are intended only to cover the 9-month period from October 1, 2005–June 30, 2006.

FY06 Needs

There are two key issues for these accounts. First, enrollment for MassHealth Essential is restricted due to insufficient program allocations. At current annual funding of \$160 million, advocates report that the program will have to freeze enrollment at about 44,000 people by the summer of 2005. Consequently, an estimated 12,000 eligible people will be placed on a waiting list and unable to get coverage. Funding needs to be substantially increased. Second, 7,000 low-income elderly and disabled immigrants who lost coverage in 2003 remain uncovered. Tough rules (implemented through agency practices) regarding immigrant sponsor income limits have become significant barriers for thousands of otherwise eligible persons. Removing these rules is a priority of advocates.

House Budget Recommendations

Both the House budget and H1 for FY06 place MassHealth Essential on-budget. The House budget allocation for MassHealth Essential is close to level funding. While it appears to be a significant cut from FY05 spending, the smaller amount is only intended to cover a 9-month period (see the explanatory footnote in the line item chart above). The House budget allocation is slightly more than \$10 million (8.5%) over the figure in H1 for FY06. Advocates supported an amendment during House debate to increase this account's allocation by an additional \$17 million, but it did not pass.

While H1 for FY06 discontinues coverage for the 3,000 enrollees in MassHealth Essential for Immigrants (line item 4000-0896), the House budget continues coverage for this group. The House budget also adds \$9 million (in line item 4000-1405) above the FY05 appropriation to provide full coverage for this group in FY06. The House budget reflects an amendment adopted during debate, which prohibits MassHealth from imposing any restrictions based on the immigrant's sponsor's income.

Account: MassHealth for People with HIV

Line Item: 4000-1400

The MassHealth for People with HIV account covers approximately 600 people with HIV for primary care and early treatment and reduces the necessity for them to enroll in the HIV Drug Assistance Program (see Department of Public Health, lines 4512-0103 and 4512-0106).

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
4000-1400	MassHealth HIV	10,000,000	8,732,000	6,926,068	7,589,164

FY06 Needs

In FY05, the state received federal permission to institute a flexible program enrollment cap set at 620–770 individuals—the state may close enrollment at 620 enrollees and is required to do so at 770 enrollees. Advocates call for eliminating the enrollment cap in FY06, to secure needed treatment for low-income people with HIV and to reduce pressure on MDPH's HIV Drug Assistance program.

House Budget Recommendations

The House budget decreases funding by \$1,142,836 (13%), because the administration is anticipating a reduction in demand for the program. The House budget allocation is \$663,096 (9.5%) over that in H1 for FY06.

Other Disability Advocacy and Information Agencies

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
0321-1600	MLAC Total	Judiciary	\$4,276,799	7,564,142	0321-1600	8,064,142
0321-1610	MLAC Gen. Support	Judiciary	4,800,000	0321-1600	8,565,227	0321-1600
0321-2000	MHLAC	Judiciary	546,412*	587,860*	0321-1610	538,905
0321-2100	MCLS	Judiciary	730,214	500,000	0321-1610	500,000
0411-1000	Gov. Com MR	EOHHS (as of FY05)	206,760	^	^	^
1107-2400	MOD	Sec.of Adm.&Finc.	741,355	573,469	586,967	585,280
1107-2501	DPPC	Exc.Off.Adm.&Finc.	1,686,445	1,704,742	1,750,037	1,746,915
1150-5100	MCAD	Sec.of Adm.&Finc.	2,524,960	1,434,740	1,529,164	1,526,374
1150-5104	MCAD-EE&FairHsng.	Sec.of Adm.&Finc.	1,813,344	2,467,982	2,467,982	2,467,982
1150-5116	MCAD Dvrsty Trnrs.	Sec.of Adm.&Finc.	27,500	27,500	27,500	27,500
8000-0500	AAB	Off.of Pub.Safety&Hm.Sec.	227,212	8311-1000	8311-1000	8311-1000

* FY01 and FY05 include supplemental budget appropriations (\$43,000 and \$86,775, respectively).

^ There is no longer an earmark for the Governor's Commission anywhere in the budget.

This chapter focuses on the House of Representatives' FY06 budget recommendations for independent commissions and programs funded through a variety of state agencies. For additional information on the impacts of FY01–FY05 budget cuts and more details about program services, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the “Other Disability Advocacy and Information Agencies” chapter in the Volume I table of contents.

Line Item Analysis

Account: Massachusetts Legal Assistance Corporation (MLAC)

Line Items: 0321-1600 and 0321-1610

Agency: Judiciary

The Massachusetts Legal Assistance Corporation (MLAC) accounts fund 18 legal services programs serving low-income people. Services fall into 4 categories: General Support provides for day-to-day civil legal needs; the Medicare Advocacy Project (MAP) advocates for those unfairly denied Medicare coverage; the Disability Benefits Project (DBP) assists persons with disabilities who have been improperly denied federal SSI/SSDI benefits; and the Battered Women's Legal Assistance Project (BWLAP) offers legal assistance to victims of domestic violence.

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
0321-1600	MLAC Total	Judiciary	\$4,276,799	7,564,142	0321-1600	8,064,142
0321-1610	MLAC Gen. Support	Judiciary	4,800,000	0321-1600	8,565,227	0321-1600

FY06 Needs

MLAC is requesting an increase of \$4.5 million in FY06, including \$1.5 million in restoration funds. MLAC also requests that the earmarks for BWLAP, DBP, and MAP be restored to FY02 levels: those were \$2,511,289 for BWLAP; \$1,204,604 for DBP; and \$550,906 for MAP. The request would leave \$7,800,000 for General Support. The increases would pay for 4,380 new cases—close to 18,000 low-income persons and family members in total.

House Budget Recommendations

The House budget rejects the H1 for FY06 attempt to consolidate civil legal services in one line item and recommends a \$500,000 restoration for General Support (cut \$1.5 million since FY02).

Earmarks for BWLAP, DBP, and MAP are level with those for FY05. H1 for FY06 had combined MLAC with the Mental Health Legal Advisor's Committee (MHLAC, line item 0321-2000) and the Massachusetts Correctional Legal Services (MCLS, line item 0321-2100) and cut \$67,491 from the joint account. The civil legal services community is advocating to maintain separate line items.

Account: Mental Health Legal Advisors Committee (MHLAC)

Line Item: 0321-2000

Agency: Judiciary

The Mental Health Legal Advisors Committee (MHLAC) account funds advocacy and information referral for individuals with disabilities in the state mental health system and individuals seeking insurance coverage for mental health services. Annually, 2,000–3,000 requests are received.

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
0321-2000	MHLAC	Judiciary	546,412*	587,860*	0321-1610	538,905

* FY01 and FY05 include supplemental budget appropriations (\$43,000 and \$86,775, respectively).

FY06 Needs

MHLAC reports that its maintenance budget for FY06 is approximately \$585,818. This amount would not restore any programmatic cuts.

House Budget Recommendations

The House budget rejects the H1 for FY06 attempt to consolidate civil legal services in one line, but under funds MHLAC with a below-maintenance budget of \$538,905. The amount is nearly \$49,000 below FY05 funding, once supplementals are considered. H1 for FY06 had consolidated MHLAC with the Massachusetts Legal Assistance Corporation (MLAC line item, 0321-2100) and the Massachusetts Correctional Legal Services (MCLS, line items 0321-1600 and 0321-1610) and cut \$67,491 from the joint account. MHLAC is advocating to maintain its own separate line item to avoid a possible future consolidation of the agencies and consequent reduction in services and expertise.

Account: Governor's Commission on Mental Retardation

Line Item: 0411-1000

Agency: Executive Office of Health and Human Services (EOHHS)

The Governor's Commission on Mental Retardation (the Commission) oversees and monitors the needs and treatment of people with mental retardation (MR).

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
0411-1000	Gov. Com MR	EOHHS (as of FY05)	206,760	^	^	^

^ There is no longer an earmark for the Governor's Commission anywhere in the budget.

FY06 Needs

For FY06, no increases have been requested. The Commission is working with one-third less staff than it had in FY01.

House Budget Recommendations

Neither the House budget nor H1 for FY06 make mention of the Governor's Commission for MR.

Account: Massachusetts Office on Disability (MOD)

Line Item: 1107-2400

Agency: Secretary of Administration and Finance

The Massachusetts Office on Disability (MOD) is the agency designated to oversee the state's compliance with the Americans with Disabilities Act (ADA). MOD additionally advocates for individuals with disabilities, provides technical assistance to state agencies, and coordinates the Governor's Advisory Commission on Disability Policy and the Interagency Disability Services Coordinating Council. MOD's caseload was 9,803 clients in FY02.

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
1107-2400	MOD	Sec.of Adm.&Finc.	741,355	573,469	586,967	585,280

FY06 Needs

MOD has requested an increase of \$91,531 (16%) in FY06 to reinstate 1.5 full-time staff positions and build back some of its technical assistance capacity. MOD reports that changes in the structure of state government have increased demand for its technical expertise and experience, and that staff are at a breaking point. The agency has been cut 22.5%, unadjusted for inflation, since FY01.

House Budget Recommendations

The House budget recommends a funding level 5.5% above that for FY05. The House budget amount is \$18,313 more than in H1 for FY06. This recommendation would support a maintenance budget for MOD's current staffing level only.

Account: Disabled Persons Protection Commission (DPPC)

Line Item: 1107-2501

Agency: Executive Office for Administration and Finance (EOAF)

The Disabled Persons Protection Commission (DPPC) is an independent agency with 3 commissioners who report directly to the governor and the legislature. The DPPC investigates abuse allegations and oversees investigations and protective services performed by the Departments of Mental Retardation (DMR) and Mental Health (DMH) and the Massachusetts Rehab Commission (MRC). The DPPC conducts training programs, sponsors education and outreach, investigates reports of retaliation against individuals who report abuse, and provides information and referrals on various abuse-related issues. In FY04, 1,779 cases were investigated under its authority.

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
1107-2501	DPPC	Exc.Off.Adm.&Finc.	1,686,445	1,704,742	1,750,037	1,746,915

FY06 Needs

The DPPC has requested an additional \$188,153 for FY06. The funds are badly needed to address the following: a 42% increase in hotline calls between FY00–FY04; a 447% increase in investigation reports between FY00–FY04, which has caused a backlog; and the 74% increase in the average caseload of oversight officers between FY00–FY04, resulting in about 375 cases per officer currently. The total request is for \$1,935,514.

House Budget Recommendations

The House budget recommends \$3,122 less than in H1 for FY06. The House budget figure is 2.5% above the funding level for FY05.

Account: Massachusetts Commission Against Discrimination (MCAD)
Line Items: 1150-5100, 1150-5104, and 1150-5116
Agency: Secretary of Administration and Finance

The Massachusetts Commission Against Discrimination (MCAD) is the Commonwealth's primary civil rights enforcement agency. MCAD investigates approximately 4,300 allegations each year of discrimination based on disability, race, gender, age, religion, welfare status, sexual orientation or national origin status in employment, education, housing, credit and public accommodation.

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
1150-5100	MCAD	Sec.of Adm.&Finc.	2,524,960	1,434,740	1,529,164	1,526,374
1150-5104	MCAD-EE&FairHsng.	Sec.of Adm.&Finc.	1,813,344	2,467,982	2,467,982	2,467,982
1150-5116	MCAD Dvrsty Trnrs.	Sec.of Adm.&Finc.	27,500	27,500	27,500	27,500
<i>Totals:</i>			<i>4,365,804</i>	<i>3,930,222</i>	<i>4,024,646</i>	<i>4,021,856</i>

FY06 Needs

MCAD needs an additional \$97,568 in line item 1150-5100 to support hiring for 2 investigator positions that are critical for reducing case backlog and investigator caseloads, as well as enabling MCAD to maximize its federal reimbursements (that are based on the number of cases closed). The additional staff is necessary, therefore, to generate the revenue collected in line item 1150-5104.

House Budget Recommendations

The House budget recommends \$2,790 less than does H1 for FY06. This figure is \$91,634 (6.4%) above FY05 funding.

Account: Architectural Access Board (AAB)
Line Item: 8000-0500
Agency: Office of Public Safety and Homeland Security

The Architectural Access Board (AAB) is responsible for ensuring that all public buildings are accessible to and safe for use by individuals with disabilities. AAB enforces state rules and regulations to ensure that any new construction, renovation or changes of use meet the accessibility standards established by the Board. It does not enforce the Americans with Disabilities Act (ADA).

Line Item	Description	Agency	FY01	FY05	H1 for FY06	House Budget for FY06
8000-0500	AAB	Off.of Pub.Safety&Hm.Sec.	227,212	8311-1000	8311-1000	8311-1000

FY06 Needs

AAB has requested that its compliance officer position be full time and that it backfill a clerical position, bringing its staff back to the 4 FTEs (full-time equivalents) level. AAB also reports that the Office of Public Safety and Homeland Security will seek to update AAB regulations this year (and expand the Board's jurisdiction to employee-access spaces in addition to public-access areas). AAB supports making state regulations substantially equivalent to the ADA.

House Budget Recommendations

Both the House budget and H1 for FY06 provide no earmark or separate line item indicating a budget for the AAB. The Office of Public Safety and Homeland Security account that funds the AAB and the Board of Building Regulations and Standards is recommended for \$1,099,359 in the House budget. This figure is \$181,174 less than in H1 for FY06 and \$78,000 (7.6%) more than the figure in FY05.

Salary Reserve

Line Item	Description	FY01	FY05	H1 for FY06	House Budget for FY06
1599-6901	Salary Reserve	\$15,000,000	\$20,000,000	\$0	\$10,000,000

For additional information on the Salary Reserve and its FY01–FY05 impacts, go to the *People First* website at www.mass.gov/mddc/peoplefirst/index.html and click on the Salary Reserve chapter in the Volume I table of contents.

Line Item Analysis

Account: POS Salary Reserve

Line Item: 1599-6901

The Direct Care Worker Salary Reserve—also called the Purchase of Service (POS) Salary Reserve—provides modest but important salary increases for direct care workers employed by service providers that contract with state agencies. These agencies are administered by the Executive Office of Health and Human Services (EOHHS) and the Department of Elder Affairs (DEA). Funding for the Salary Reserve is allocated within the Executive Office of Administration and Finance (EOAF) for distribution to private providers.

Each time the Salary Reserve is funded, the allocation serves a one-time purpose. To sustain the wage increases beyond a single year, these funds must be annualized into the budgets of all the agencies whose workers received a Salary Reserve-funded raise.

FY06 Needs

In FY06, advocates are seeking \$35.7 million for the Salary Reserve account. The recommendation has broad support in the human services and disability advocacy communities.

House Budget Recommendations

The House budget allocated just \$10 million for the Salary Reserve. An amendment to raise the amount to \$35.7 million did not pass. H1 for FY06 provided no Salary Reserve funding.

A Guide for New Readers

Many readers of *People First* reports are seasoned advocates. For those who may be new to advocacy work on disability issues, we offer suggestions and information below.

How to Communicate with Your Elected Officials

1. If you think a House budget recommendation for a program or service you care about should be supported, improved, or changed, you should convey your concern as soon as possible to your state representative and state senator.

Who are my elected officials?

- You can visit www.wheredoivotema.org to learn who your elected officials are.

How do I reach them?

- By email!: You can visit www.mass.gov to learn more about your legislators and obtain their e-mail addresses.
- By phone!: You can reach any representative or senator by calling the State House switchboard at 617-722-2000. If you call, you will probably speak with a staff person. That is fine—they will convey your concern to your legislator.
- By mail!: You can send your elected officials a letter. All letters should be addressed as follows:

The Honorable Representative Firstname Lastname
OR The Honorable Senator Firstname Lastname
The State House
Boston, MA 02133

- In person!: If you can make a personal visit to your representative and/or your senator, it is even better than a call or letter. Call ahead to make an appointment. If you cannot get to the State House, you can ask when the legislator will be holding district hours in the city or town where you live and visit him/her there.
2. Whatever communication method you use, be as specific as possible in the request you make, using information from this report. Rather than saying something like “I think we need more funding to help out people who are blind,” say something like, “I know independent living supports are very essential for people who are blind. Please support restoring line item 4110-1000 at the Massachusetts Commission for the Blind to its fiscal year 2001 level of \$4,093,938.”
 3. Ask your legislators to convey your concern to the Chairperson of the Ways & Means Committee. Tell your legislator that you will call back within a week to see if they have contacted the Ways and Means Chair—and then you should make that follow-up call.
 4. Even if your representative or senator already supports your position 110%, you should still contact them. Your legislator needs to be able to tell the Ways and Means Committee, “This is a top priority for me. I’ve gotten 6 calls from my district about this line item. We need to do something.”
 5. Ask and help your friends and family to make calls, send emails, or write letters as well. Five to ten calls, emails, or letters on the same subject is considered a tidal wave of public opinion at the State House.

Next Steps in the FY06 State Budget Debate

Each step in the budget debate process is a window of opportunity for advocacy efforts to improve programs and services for persons with disabilities. The most important advocacy relationship any person can have is with his or her own state representative and state senator. A call, email, letter, or visit from a constituent in the district is always the most influential. To be most effective, an advocate establishes an ongoing relationship with his or her state representative and state senator.

Window of Opportunity: The Senate

The House budget will be referred to the Senate Ways & Means (SWM) Committee, chaired by Sen. Therese Murray. SWM senators and staff already will have been working on their own set of FY06 recommendations. The SWM FY06 Budget will be released to the full Senate sometime in late May or early June 2005. Senators may file amendments to change the SWM's funding or language recommendations. Then there will be a full debate, where the fate of the amendments filed by various senators is decided. Since there are 160 state representatives and 40 state senators, the Senate process usually involves fewer amendments and quicker decisions than the House process does. The full debate usually takes two or three days.

Advocacy action steps:

- Call, email, write, or visit your state senator. Tell him/her about your priorities for the FY06 Senate budget.
- Ask your senator to make your priorities known when he/she speaks with the Chair of the Senate Ways and Means Committee.

Window of Opportunity: The Conference Committee

The House and Senate budgets will vary in their funding and policy recommendations. The two budgets will be sent to a Joint House/Senate Conference Committee, composed of three senators and three representatives and chaired by both Ways & Means Committee chairs. While they are not formally members of the Conference Committee, House Speaker Salvatore DiMasi and Senate President Robert Travaglini will have great influence over the Conference Committee negotiations.

The Conference Committee should complete its work by late June 2005. Its single reconciled set of budget recommendations, known as the Conference Committee Report for FY06, is returned to each chamber for a single "yea" or "nay" vote of approval. After it is approved by each chamber, this Conference Committee budget is sent to the governor's desk.

Advocacy action steps:

- Call, email, or write the members of the Conference Committee, the Speaker of the House, and/or the Senate President. Tell each of them to include the language and/or the funding that you prefer from either the House or the Senate budgets when they draft the Conference Committee Report.
- Call, email, write, or visit your state representative and senator. Ask these elected officials to make your priorities known to the Conference Committee, the Speaker of the House, and the Senate President.

Window of Opportunity: The Governor's Vetoes

The governor has ten days to review the Conference Committee budget and return it to the House with the governor's veto message. He can veto policy changes and he can veto some or all of the dollar amount appropriated to a particular line item. He cannot, however, increase any appropriations at that point in the process.

Advocacy action steps:

- Call, email, or write the governor's office to ask him not to veto your budget priorities as stated in the Conference Committee Report. As always, be specific in your request—mention the line item numbers of any particular budget language or particular funding amount you are calling about.

Window of Opportunity: The Legislative Overrides

In the final step, the legislature may vote to pass overrides on some of the governor's vetoes. The House leadership will review the governor's vetoes, decide which ones to challenge, and have formal roll call votes on each. A two-thirds majority vote is needed to overturn a veto. If the veto is not overturned in the House, the veto will remain in the final budget. If a veto is overturned, it is sent to the Senate, where again a two-thirds majority is needed for each item. If both chambers override a veto, the original Conference Committee recommendation stands as the final version of the FY06 budget. This entire process is supposed to be complete before the formal start of fiscal year 2006 on July 1, 2005.

Advocacy action steps:

- Call, email, or write your state representative and senator.
- Thank him/her for the positive aspects of the Conference Committee budget with regard to disability issues. Ask him/her to vote to override any of the governor's vetoes with which you do not agree.

State Website Budget Resources

The Commonwealth of Massachusetts website—at www.mass.gov—has become a great resource for followers of the budget debate. The flow chart on the next page, which portrays the full budget debate process, is among the many resources provided.

- To access the governor's H1 for FY06 budget, click on the "Office of the Governor" link at the top left of the www.mass.gov homepage. Scroll way down and look for a "Governor's 2006 Budget" link in the "In Focus" section.
- To access the House budget, click on the "Massachusetts General Court" link under the "Legislative" heading on the right hand side of the www.mass.gov homepage. Scroll way down to a large heading that reads "Fiscal Year 2006 Budget Recommendations." Under the "HOUSE" subheading, click on "House budget site."
- To access prior year budgets, click on the "Massachusetts General Court" link under the "Legislative" heading on the right hand side of the www.mass.gov homepage. Scroll way down to a large heading that reads "Fiscal Year 2006 Budget Recommendations." Click on the link to "Previous Fiscal Year Budgets."

Overview of the budget process

Fiscal year 2006 budget documents

Budget-writing steps

Governor's Budget
January 26, 2005

The budget begins as a bill that the Governor submits in January (or February if at the start of a new term) to the House of Representatives.



House Ways & Means Budget

The House Ways and Means Committee reviews this budget and then develops its own recommendation.



House Budget

Once debated, amended and voted on by the full House, it becomes the House budget bill.



Senate Ways & Means Budget

At this point, the House passes its bill to the Senate. The Senate Ways & Means Committee reviews that bill and develops its own.



Senate Budget

Once debated, amended and voted on, it becomes the Senate's budget bill.



Conference Committee Budget

House and Senate leadership then assign members to a joint "conference committee" to negotiate the differences between the House and Senate bills. Once that work is completed, the conference committee returns its bill to the House for a vote. If the House makes any changes to the bill, it must return the bill to the conference committee to be renegotiated. Once approved by the House, the budget passes to the Senate, which then votes its approval.



Vetoes

From there, the Senate passes the bill to the Governor who has ten days to review and approve it, or make vetoes or reductions. The Governor may approve or veto the entire budget, or may veto or reduce certain line items or sections, but may not add anything.



Overrides

The House and Senate may vote to override the Governor's vetoes. Overrides require a two-thirds majority in each chamber.



Final Budget

The final budget is also known as the General Appropriations Act or "Chapter [#] of the Acts of yyyy."

Follow the budget process on disabilities issues
during the FY06 debate!!

Go to **www.mass.gov/mddc** to download
***People First: What Massachusetts Does for
People with Disabilities !***

**PEOPLE
FIRST
VOL. I**

Analysis of the
Governor's
House 1 (H1)
Budget

**Volume I provides a full overview of all disabilities-
related programs and agencies, along with an analysis
of the potential impacts of the governor's budget
proposals in his House 1 for FY06.**

**PEOPLE
FIRST
VOL. II**

Analysis of the
House of
Representatives'
Budget

**Volume II provides an analysis of the House of
Representatives budget proposals for FY06.**

**PEOPLE
FIRST
VOL. III**

Analysis of the
Critical Choices
Facing the
Conference
Committee

**Volume III presents the critical choices facing the
Conference Committee as it reconciles the differences
in the House and Senate budget proposals.**

**PEOPLE
FIRST
VOL. III**

Analysis of the
Governor's Veto
Message

NEW THIS YEAR!!

**Volume IV discusses and analyzes the governor's vetoes
and identifies key issues for advocates to discuss with
their legislators as they consider overrides.**

PEOPLE FIRST:
What Massachusetts Does for People with Disabilities
Volume II for Fiscal Year 2006

Prepared for
Massachusetts Developmental Disabilities Council

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Massachusetts Human Services Coalition

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